

**DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**AIR QUALITY OPERATING PERMIT**

Permit No. AQ0232TVP02

Issue Date: October 17, 2007  
Expiration Date: November 16, 2012

The Department of Environmental Conservation, under the authority of AS 46.14 and 18 AAC 50, issues an operating permit to the Permittee, **Trident Seafoods Corporation**, for the operation of the **Sand Point Seafood Processing Facility**.

This permit satisfies the obligation of the owner and operator to obtain an operating permit as set out in AS 46.14.130(b).

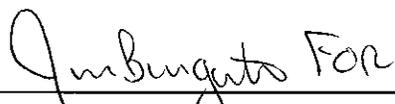
As set out in AS 46.14.120(c), the Permittee shall comply with the terms and conditions of this operating permit.

All stationary source-specific terms and conditions of Air Quality Control Construction Permit No. 232CP01 Revision 1 have been incorporated into this operating permit.

Upon the effective date of this operating permit, Operating Permit No. AQ0232TVP01 Revision 2 expires.

This operating permit becomes effective November 16, 2007.

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John F. Kuterbach, Manager  
Air Permits Program

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### Table of Contents

List of Abbreviations Used in this Permit .....	3
Section 1. Stationary Source Information .....	4
Identification .....	4
Names and Addresses .....	4
Stationary Source Process Description.....	4
Section 2. Emission Unit Inventory and Description .....	5
Section 3. State Requirements .....	6
Visible Emissions Standards .....	6
Visible Emissions Monitoring, Recordkeeping and Reporting.....	6
Particulate Matter Emissions Standards .....	10
Particulate Matter Monitoring, Recordkeeping and Reporting .....	11
Sulfur Compound Emission Standards Requirements .....	12
Pre-Construction Permit Requirements.....	12
Insignificant Emission Units .....	17
Section 4. Federal Requirements .....	19
Section 5. General Conditions .....	20
Standard Terms and Conditions .....	20
Halon Prohibitions, 40 C.F.R. 82 .....	24
Open Burning Requirements .....	26
Section 6. General Source Testing and Monitoring Requirements .....	30
Section 7. General Recordkeeping and Reporting Requirements .....	33
Recordkeeping Requirements.....	33
Reporting Requirements.....	33
Section 8. Permit Changes and Renewal .....	38
Section 9. Compliance Requirements .....	40
General Compliance Requirements.....	40
Compliance Schedule .....	41
Section 10. Permit As Shield from Inapplicable Requirements .....	42
Section 11. Visible Emissions Forms.....	44
Visible Emissions Field Data Sheet .....	44
Visible Emissions Observation Record.....	45
Section 12. ADEC Notification Form .....	46

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**List of Abbreviations Used in this Permit**

AAC	Alaska Administrative Code
ADEC	Alaska Department of Environmental Conservation
AS	Alaska Statutes
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
BHp	Boiler Horsepower
C.F.R.	Code of Federal Regulations
The Act	Clean Air Act
CO	Carbon Monoxide
dscf	Dry standard cubic foot
EPA	US Environmental Protection Agency
EU	Emission Unit
gr/dscf	grain per dry standard cubic foot (1 pound = 7000 grains)
GPH	gallons per hour
HAPs	Hazardous Air Pollutants [ <i>HAPs</i> as defined in AS 46.14.990(14)]
ID	Emission Unit Identification Number
kPa	kiloPascals
LAER	Lowest Achievable Emission Rate
MACT	Maximum Achievable Control Technology as defined in 40 C.F.R. 63.
MR&R	Monitoring, Recordkeeping, and Reporting
NESHAPs	Federal National Emission Standards for Hazardous Air Pollutants [ <i>NESHAPs</i> as contained in 40 C.F.R. 61 and 63]
NO <sub>x</sub>	Nitrogen Oxides
NSPS	Federal New Source Performance Standards [ <i>NSPS</i> as contained in 40 C.F.R. 60]
O&M	Operation and Maintenance
O <sub>2</sub>	Oxygen
PAL	Plantwide Applicability Limitation
PM-10	Particulate Matter less than or equal to a nominal ten microns in diameter
ppm	Parts per million
ppmv, ppmvd	Parts per million by volume on a dry basis
psia	Pounds per Square Inch (absolute)
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
SIC	Standard Industrial Classification
SO <sub>2</sub>	Sulfur dioxide
TPH	Tons per hour
tpy	Tons per year
VOC	volatile organic compound [ <i>VOC</i> as defined in 40 C.F.R. 51.100(s)]
VOL	volatile organic liquid [ <i>VOL</i> as defined in 40 C.F.R. 60.111b, Subpart Kb]
vol%	volume percent
wt%	weight percent

## ***Section 1. Stationary Source Information***

### **Identification**

#### **Names and Addresses**

Permittee: **Trident Seafoods Corporation**  
5303 Shilshole Ave., N.W.  
Seattle, WA 98107-4000

Stationary Source Name: **Sand Point Seafood Processing Facility**

Location: 55° 23' 00" North Latitude; 160° 27' 30" West Longitude

Physical Address: City of Sand Point  
Popof Island, AK 99661

Owner/Operator: **Trident Seafoods Corporation**  
5303 Shilshole Ave., N.W.  
Seattle, WA 98107-4000

Permittee's Responsible Official  
and Designated Agent: Mr. Earl R. Hubbard  
**Trident Seafoods Corporation**  
5303 Shilshole Ave., N.W.  
Seattle, WA 98107-4000  
(206) 783-3818

Stationary Source  
and Building Contact: Mr. Allan Starnes  
**Trident Seafoods Corporation**  
P.O. Box 229  
Sand Point, AK 99661  
(907) 383-4848

Fee Contact: Mr. Earl R. Hubbard  
**Trident Seafoods Corporation**  
(206) 783-3818

Permit Contact: Mr. Earl R. Hubbard  
**Trident Seafoods Corporation**  
(206) 783-3818

### **Stationary Source Process Description**

SIC Code of the Stationary Source: 2092 -- Prepared Fresh or Frozen Fish and Seafoods

[18 AAC 50.040(j)(3), 12/3/05; 18 AAC 50.326(a), 12/1/04]  
[40 C.F.R. 71.5(c)(1 & 2), 7/1/04]

**Section 2. Emission Unit Inventory and Description**

Emission units (EU) listed in Table A have specific monitoring, recordkeeping, or reporting conditions in this permit. EU descriptions and ratings are given for identification purposes only.

**Table A - Emission Unit Inventory**

ID	Emission Unit Name	Emission Unit Description	Rating/Size	Install Date
<b>Generator Group</b>				
1	Diesel Electric Generator	Caterpillar Model D3512A, Serial #24Z02425	1,135 kW	1999
2	Diesel Electric Generator	Caterpillar Model D399, Serial #35B04981	850 kW	1986
3	Diesel Electric Generator	Caterpillar Model D3412, Serial #81Z05460	500 kW	1986
4	Diesel Electric Generator	Caterpillar Model D3412, Serial #81Z05208	500 kW	1986
5	Diesel Electric Generator	Caterpillar Model D3512A, Serial #24Z02391	1,135 kW	1990
6	Diesel Electric Generator	Caterpillar Model D3512A, Serial #24Z02055	1,135 kW	1996
<b>Boiler Group</b>				
8	Fish Meal Dryer	Pedar Halvorsen Furnace, Serial #16740	17.8 MMBtu/hr	1996
9	Oil-Fired Boiler	William Davis Steam Boiler, Model #767	16.4 MMBtu/hr	1975
10	Oil-Fired Boiler	Cleaver Brooks Steam Boiler, Serial #L54314	20.9 MMBtu/hr	2006
11	Oil-Fired Boiler	Superior Steam Boiler, Serial #11313	2.05 MMBtu/hr	1994

[18 AAC 50.326(a), 12/1/04]  
 [40 C.F.R. 71.5(c)(3), 7/1/04]

### **Section 3. State Requirements**

#### **Visible Emissions Standards**

**1. Industrial Process and Fuel-Burning Equipment Visible Emissions.** The Permittee shall comply with the following:

1.1 Do not cause or allow visible emissions, excluding condensed water vapor, emitted from EU IDs 1 - 6 and 8 - 11 listed in Table A to reduce visibility through the exhaust effluent by any of the following:

- a. more than 20 percent for a total of more than three minutes in any one hour<sup>1</sup>;  
[18 AAC 50.040(e) & (j), 12/3/05; 18 AAC 50.326(j), 12/1/04; 18 AAC 50.055(a)(1), 10/1/04]  
[40 C.F.R. 52.70 & 71.6(a)(1), 7/1/04]
- b. more than 20 percent averaged over any six consecutive minutes<sup>2</sup>.  
[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04; 18 AAC 50.055(a)(1), 10/1/04]  
[40 C.F.R. 71.6(a)(1), 7/1/04]

1.2 For EU IDs 1 - 6, monitor, record, and report in accordance with conditions 2 - 4.

1.3 For EU IDs 8 - 11, as long as average actual emissions do not exceed 5 tpy CO, 2 tpy each for VOC, NO<sub>x</sub>, and SO<sub>2</sub>, and 0.75 tpy PM-10, monitoring shall consist of an annual compliance certification with the visible emission standard under condition 51.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04; 18 AAC 50.346(c), 10/1/04]  
[40 C.F.R. 71.6(a)(3), 7/1/04]

#### **Visible Emissions Monitoring, Recordkeeping and Reporting**

*For Liquid Fuel-Fired Emission Units (EU IDs 1 - 6)*

**2. Visible Emissions Monitoring.** The Permittee shall observe the exhaust of EU IDs 1 - 6 (and EU IDs 8 - 11 if they are no longer considered insignificant as set out by condition 1.3) for visible emissions using either the Method 9 Plan under condition 2.1 or the Smoke/No-Smoke Plan under condition 2.2. The Permittee may change visible-emissions plans for an emission unit at any time unless prohibited from doing so by condition 2.3.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 71.6(a)(3)(i), 7/1/04]

**2.1 Method 9 Plan.** For all 18-minute observations in this plan, observe exhaust, following 40 C.F.R. 60, Appendix A-4, Method 9, adopted by reference in 18 AAC 50.040(a), for 18 minutes to obtain 72 consecutive 15-second opacity observations.

<sup>1</sup> For purposes of this permit, the "more than three minutes in any one hour" criterion in this condition and condition 15.1 will no longer be effective when the Air Quality Control (18 AAC 50) regulation package effective May 3, 2002 is adopted by the U.S. EPA.

<sup>2</sup> The six-minute average standard is enforceable only by the State until 18 AAC 50.055(a)(1), dated May 3, 2002, is approved by EPA into the SIP at which time this standard becomes federally enforceable.

- a. First Method 9 Observation. For any unit, observe exhaust for 18 minutes within 14 calendar days after changing from the Smoke/No-Smoke Plan of condition 2.2. For any units replaced during the term of this permit, observe exhaust for 18 minutes within 30 days of startup.
- b. Monthly Method 9 Observations. After the first Method 9 observation, perform 18-minute observations at least once in each calendar month that a source operates.
- c. Semiannual Method 9 Observations. After observing emissions for three consecutive operating months under condition 2.1b, unless a six-minute average is greater than 15 percent and one or more observations are greater than 20 percent, perform 18-minute observations at least semiannually.

Semiannual observations must be taken between four and seven months after the previous set of observations.

- d. Annual Method 9 Observations. After at least two semiannual 18-minute observations, unless a six-minute average is greater than 15 percent and one or more individual observations are greater than 20 percent, perform 18-minute observations at least annually.

Annual observations must be taken between 10 and 13 months after the previous observations

- e. Increased Method 9 Frequency. If a six-minute average opacity is observed during the most recent set of observations to be greater than 15 percent and one or more observations are greater than 20 percent, then increase or maintain the 18-minute observation frequency for that source to at least monthly intervals, until the criteria in condition 2.1c for semiannual monitoring are met.

**2.2 Smoke/No Smoke Plan.** Observe the exhaust for the presence or absence of visible emissions, excluding condensed water vapor.

- a. Initial Monitoring Frequency. Observe the exhaust during each calendar day that an emission unit operates.
- b. Reduced Monitoring Frequency. After the emission unit has been observed on 30 consecutive operating days, if the emission unit operated without visible smoke in the exhaust for those 30 days, then observe emissions at least once in every calendar month that an emission unit operates.
- c. Smoke Observed. If smoke is observed, either begin the Method 9 Plan of condition 2.1 or perform the corrective action required under condition 2.3.

- 2.3 **Corrective Actions Based on Smoke/No Smoke Observations.** If visible emissions are present in the exhaust during an observation performed under the Smoke/No Smoke Plan of condition 2.2, then the Permittee shall either follow the Method 9 Plan of condition 2.1 or
- a. initiate actions to eliminate smoke from the emission unit within 24 hours of the observation;
  - b. keep a written record of the starting date, the completion date, and a description of the actions taken to reduce smoke; and
  - c. after completing the actions required under condition 2.3a,
    - (i) take Smoke/No Smoke observations in accordance with condition 2.2
      - (A) at least once per day for the next seven operating days and until the initial 30 day observation period is completed; and
      - (B) continue as described in condition 2.2b; or
    - (ii) if the actions taken under condition 2.3a do not eliminate the smoke, or if subsequent smoke is observed under the schedule of condition 2.3c(i)(A), then observe the exhaust using the Method 9 Plan unless the department gives written approval to resume observations under the Smoke/No Smoke Plan; after observing smoke and making observations under the Method 9 Plan, the Permittee may at any time take corrective action that eliminates smoke and restart the Smoke/No Smoke Plan under condition 2.2a.

3. **Visible Emissions Recordkeeping.** The Permittee shall keep records as follows:

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04; 18 AAC 50.346(c), 10/1/04]  
[40 C.F.R. 71.6(a)(3)(ii), 7/1/04]

3.1 If using the Method 9 Plan of condition 2.1

- a. the observer shall record:
  - (i) the name of the stationary source, emission unit, and location; stationary source type, observer's name, and affiliation; and the date on the Visible Emissions Field Data Sheet in Section 11;
  - (ii) the time, estimated distance to the emissions location, approximate wind direction, estimated wind speed, description of the sky condition (presence and color of clouds), plume background, and operating rate (load or fuel consumption rate) on the sheet at the time opacity observations are initiated and completed;

- (iii) the presence or absence of an attached or detached plume and the approximate distance from the emissions outlet to the point in the plume at which the observations are made;
  - (iv) opacity observations to the nearest five percent at 15-second intervals on the Visible Emissions Observation in Section 11, and
  - (v) the minimum number of observations required by the permit; each momentary observation recorded shall be deemed to represent the average opacity of emissions for a 15-second period;
- b. to determine the six-minute average opacity, divide the observations recorded on the record sheet into sets of 24 consecutive observations; sets need not be consecutive in time and in no case shall two sets overlap; for each set of 24 observations, calculate the average by summing the opacity of the 24 observations and dividing this sum by 24; record the average opacity on the sheet;
  - c. calculate and record the highest 18-consecutive-minute averages observed.
- 3.2 If using the Smoke/No Smoke Plan of condition 2.2, record the following information in a written log for each observation and submit copies of the recorded information upon request of the department:
- a. the date and time of the observation;
  - b. from Table A, the ID of the emission unit observed;
  - c. whether visible emissions are present or absent in the exhaust;
  - d. a description of the background to the exhaust during the observation;
  - e. if the emission unit starts operation on the day of the observation, the startup time of the emission unit;
  - f. name and title of the person making the observation; and
  - g. operating rate (load or fuel consumption rate).

**4. Visible Emissions Reporting.** The Permittee shall report visible emissions as follows:

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04; 18 AAC 50.346(c), 10/1/04]  
[40 C.F.R. 71.6(a)(3)(iii), 7/1/04]

4.1 Include in each stationary source operating report under condition 50

- a. which visible-emissions plan of condition 2 was used for each emission unit; if more than one plan was used, give the time periods covered by each plan;

- b. for each emission unit under the Method 9 Plan,
  - (i) copies of the observation results (i.e. opacity observations) for each emission unit that used the Method 9 Plan, except for the observations the Permittee has already supplied to the department; and
  - (ii) a summary to include:
    - (A) number of days observations were made;
    - (B) highest six-minute average observed; and
    - (C) dates when one or more observed six-minute averages were greater than 20 percent;
- c. for each emission unit under the Smoke/No Smoke Plan, the number of days that Smoke/No Smoke observations were made and which days, if any, that smoke was observed; and
- d. a summary of any monitoring or recordkeeping required under conditions 2 and 3 that was not done;

4.2 Report under condition 49:

- a. the results of Method 9 observations that exceed an average 20 percent for any six-minute period; and
- b. if any monitoring under condition 2 was not performed when required, report within three days of the date the monitoring was required.

**Particulate Matter Emissions Standards**

- 5. Industrial Process and Fuel-Burning Equipment Particulate Matter.** The Permittee shall not cause or allow particulate matter emitted from EU IDs 1 - 6 and 8 - 11 listed in Table A to exceed 0.05 grains per cubic foot of exhaust gas corrected to standard conditions and averaged over three hours.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04; 18 AAC 50.055(b)(1), 10/1/04]  
[40 C.F.R. 71.6(a)(1), 7/1/04]

- 5.1 For EU IDs 1 - 6, monitor, record, and report in accordance with conditions 6 - 7.
- 5.2 For EU IDs 8 - 11, as long as average actual emissions do not exceed 5 tpy CO, 2 tpy each for VOC, NO<sub>x</sub>, and SO<sub>2</sub>, and 0.75 tpy PM-10, monitoring shall consist of an annual compliance certification with the particulate matter standard under condition 51.

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## Particulate Matter Monitoring, Recordkeeping and Reporting

### *For Liquid Fuel-Fired Diesel Engines (EU IDs 1 - 6)*

- 6. Particulate Matter Monitoring for Diesel Engines.** The Permittee shall conduct source tests on diesel engines, EU IDs 1 – 6, to determine the concentration of particulate matter (PM) in the exhaust of an emission unit in accordance with this condition 6.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04; 18 AAC 50.346(c), 10/1/04]  
[40 C.F.R. 71.6(a)(3)(i), 7/1/04]

- 6.1 Within six months of exceeding the criteria of conditions 6.2a or 6.2b, either

- a. conduct a PM source test according to requirements set out in Section 6; or
- b. make repairs so that emissions no longer exceed the criteria of condition 6.2; to show that emissions are below those criteria, observe emissions as described in condition 2.1 under load conditions comparable to those when the criteria were exceeded.

- 6.2 Conduct the test according to condition 6.1 if

- a. 18 consecutive minutes of Method 9 observations result in an 18-minute average opacity greater than 20 percent; or
- b. for an emission unit with an exhaust stack diameter that is less than 18 inches, 18 consecutive minutes of Method 9 observations result in an 18-minute average opacity that is greater than 15 percent and not more than 20 percent, unless the department has waived this requirement in writing.

- 6.3 During each one-hour PM source test run, observe the exhaust for 60 minutes in accordance with Method 9 and calculate the average opacity that was measured during each one-hour test run. Submit a copy of these observations with the source test report.

- 6.4 The automatic PM source test requirement in conditions 6.1 and 6.2 is waived for an emissions unit if a PM source test on that unit has shown compliance with the PM standard during this permit term.

- 7. Particulate Matter Reporting for Diesel Engines.** The Permittee shall report as follows:

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04; 18 AAC 50.346(c), 10/1/04]  
[40 C.F.R. 71.6(a)(3)(iii), 7/1/04]

- 7.1 Report under condition 49

- a. the results of any PM source test that exceeds the PM emissions limit; or

- b. if one of the criteria of condition 6.2 was exceeded and the Permittee did not comply with either condition 6.1a or 6.1b, this must be reported by the day following the day compliance with condition 6.1 was required;
- 7.2 Report observations in excess of the threshold of condition 6.2b within 30 days of the end of the month in which the observations occur;
- 7.3 In each stationary source operating report under condition 50, include:
- a. the dates, EU ID(s), and results when an observed 18-minute average was greater than an applicable threshold in condition 6.2;
  - b. a summary of the results of any PM testing under condition 6; and
  - c. copies of any visible emissions observation results (opacity observations) greater than the thresholds of condition 6.2, if they were not already submitted.

### **Sulfur Compound Emission Standards Requirements**

- 8. Sulfur Compound Emissions.** In accordance with 18 AAC 50.055(c), the Permittee shall not cause or allow sulfur compound emissions, expressed as SO<sub>2</sub>, from EU IDs 1 - 6 and 8 - 11 to exceed 500 ppm averaged over three hours.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04; 18 AAC 50.055(c), 10/1/04]  
[40 C.F.R. 71.6(a)(1), 7/1/04]

#### *For Fuel Oil-Fired<sup>3</sup> Emission Units (EU IDs 1 - 6 and 8 - 11)*

- 8.1 The Permittee shall comply with the fuel sulfur content limit of condition 9.<sup>4</sup>
- 8.2 The Permittee shall monitor and keep records as required by conditions 9.1 and 9.2.
- 8.3 The Permittee shall include sulfur test results and blending calculations in the operating report as required by conditions 9.3 and 50.
- 8.4 The Permittee shall submit excess emissions and permit deviation reports as required by condition 49.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 71.6(a)(3), 7/1/04]

### **Pre-Construction Permit Requirements**

- 9. SO<sub>2</sub> Ambient Air Quality Protection.** To protect ambient air quality standards and increments, the Permittee shall use fuel with a sulfur content of no more than 0.29 percent by weight in all industrial process and fuel burning equipment listed in Table A.

<sup>3</sup> *Oil* means crude oil or petroleum or a liquid fuel derived from crude oil or petroleum, including distillate and residual oil, as defined in 40 C.F.R. 60.42b, effective July 1, 2003.

<sup>4</sup> Compliance with the fuel sulfur limit of condition 9 will assure compliance with the 500-ppm SO<sub>2</sub> emission limit of condition 8.

- 9.1 Analyze a representative sample of each shipment of fuel to determine the sulfur content using an applicable ASTM method such as ASTM D4294-98 or D2622-98; or obtain test results showing the sulfur content of the fuel from the supplier or refinery; the test results must include a statement signed by the supplier or refinery of what fuel they represent.
- 9.2 If the sulfur content of any fuel delivery exceeds 0.29 percent by weight, blend the shipment so that the blended fuel oil sulfur content does not exceed 0.29 percent. Determine the fuel sulfur content of the blended fuel by calculating the weighted average percentage sulfur content using the formula below:

$$(\% DF_1 * \% S DF_1) + (\% DF_2 * \% S DF_2) / 100\% = \text{total S \% by weight of blend}$$

Where:

% DF<sub>1</sub> = Percentage Constituent (high S) Fuel by weight

% S DF<sub>1</sub> = Percentage Sulfur Content of Constituent Fuel by weight

% DF<sub>2</sub> = Percentage Diesel (low S) Fuel by weight

% S DF<sub>2</sub> = Percentage Sulfur Content of Diesel Fuel by weight

- 9.3 Include in the operating report required by condition 50, test results from condition 9.1 and any blending calculations conducted under condition 9.2.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04]

[40 C.F.R. 71.6(a), 7/1/05]

[Construction Permit No. 232CP01 Revision 1, 10/3/05]

10. **Engine NO<sub>x</sub> Limits.** To protect ambient air quality standards and increments and to avoid PSD classification, the Permittee shall limit NO<sub>x</sub> emissions to 226.8 tons per 12-consecutive month period for EU IDs 1 - 6 as listed in Table A.

10.1 Monitor and record the individual monthly diesel fuel and fish oil blended fuel consumption of each of EU IDs 1 - 6 using a dedicated fuel meter that is accurate to within five percent. Submit a copy of the meter calibration results with the source tests as required by conditions 10.6 and 12.1.

10.2 At the end of each month, calculate and record the monthly NO<sub>x</sub> emissions for each of EU IDs 1 - 6 as follows:

- a. Prior to source testing in accordance with conditions 10.6 and 12.1, use the monthly fuel consumption determined in condition 10.1 and the department approved emission factors as follows:

(i) 0.430 pounds per gallon for EU IDs 1, 5, and 6;

(ii) 0.214 pounds per gallon for EU ID 2; and

(iii) 0.231 pounds per gallon for EU IDs 3 and 4.

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- b. After source testing and department approval in accordance with conditions 10.6 and 12.1, use the monthly fuel consumption determined in condition 10.1, the load specific emission factors determined in conditions 10.7 and 12.2, and the monthly average load determined as follows:
- (i) If a unit has a kW-hr meter, monitor and record the monthly produced kW-hrs and operating hours at a consistent time each month. Calculate and record monthly load (kW) by dividing produced kW-hrs by the operating hours for each month; or
  - (ii) If a unit does not have a kW-hr meter, monitor and record the monthly operating hours at a consistent time each month. Calculate and record the monthly load (kW) using the monthly fuel consumption determined in condition 10.1, operating hours, and the worst-case efficiency-based conversion factor from vendor specifications or previous source testing (kW-hr/gal). Calculate the conversion factor for each unit using the highest fuel consumption and highest rated output.
- 10.3 At the end of each month, sum and record the total NO<sub>x</sub> emissions for the group for the preceding 12-consecutive months.
- 10.4 Report in accordance with condition 50, the monthly consumption of diesel and fish oil blend for each unit, the monthly average load if applicable, and the 12-consecutive month NO<sub>x</sub> emissions for the group for each month of the six-month reporting period.
- 10.5 Report as excess emissions in accordance with condition 49 if the NO<sub>x</sub> emissions for the group exceed 226.8 tons per 12-consecutive month period.
- 10.6 If the NO<sub>x</sub> emissions for the group exceeds 204.1 tons per 12-consecutive month period, conduct a one time NO<sub>x</sub> source test burning diesel fuel in accordance with Section 6, within 90 days as follows:
- a. Test each of EU IDs 1 - 6 at no less than three loads (high, mid, and low) within the normal operating range of the unit. If the Permittee proves that units have identical configuration, the department will allow one unit to be tested within that group.
  - b. During each test, monitor and record opacity in accordance with Section 11.
  - c. During each test, monitor and record the unit's load in kilowatts, and fuel consumption no less than once every five minutes.
  - d. Obtain for the fuel used during the testing, the fuel specific high heating value (gross heat value) or analyze a representative sample of the fuel in accordance with ASTM D 240, 4809 or 2382.

- e. Determine the load specific NO<sub>x</sub> emission factors (pounds per gallon and pounds per hour); expressed as NO<sub>2</sub>, using exhaust properties determined by both Method 19 and exhaust gas measurements as set out in Section 6.
  - f. Include information obtained in conditions 10.1 and 10.6b through 10.6e in the source test report required in condition 44.
- 10.7 After department approval of the emission factors derived from source tests conducted under condition 10.6, the Permittee shall use the maximum fuel-specific NO<sub>x</sub> emission factor for a given engine make and model and for a given average monthly load to calculate the emissions as required by condition 10.2. The maximum emission factor is the greatest of the emission factors from the source tests that bound the measured monthly load.<sup>5</sup> The source test conducted in condition 12.1 may serve to represent the one-time diesel source test required in condition 10.6, as set out in condition 12.2.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04]

[40 C.F.R. 71.6(a), 7/1/05]

[Construction Permit No. 232CP01 Revision 1, 10/3/05]

**11. Boiler Fuel Limits.** To protect ambient air quality standards and increments and to avoid PSD classification, the Permittee shall not cause or allow the fuel consumption of EU IDs 8 - 11 to exceed 764,900 gallons in any 12 consecutive month period.

- 11.1 Monitor and record the monthly fuel consumption for each emission unit by gauging the monthly change in fuel inventory.
- 11.2 At the end of each month, calculate and record the total fuel consumption for the boiler group during the 12-consecutive month period ending on the last day of that month.
- 11.3 Report in accordance with condition 50 the monthly fuel consumption for each unit and the 12-consecutive month fuel consumption for the group for each month of the 6-month reporting period.
- 11.4 Report in accordance with condition 49 if the total fuel consumption for the group exceeds the limits set forth in this condition.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04]

[40 C.F.R. 71.6(a), 7/1/05]

[Operating Permit No 232TVP01, 12/28/00]

**12. Fish Oil as Fuel.** Upon the department's approval, the Permittee may burn fish oil blend as a supplementary fuel for EU IDs 1 - 6 as follows:

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<sup>5</sup> For example, if the unit's emission tests were conducted at 30% load and 50% load with results of 2.0 lb/gallon and 2.5 lb/gallon respectively, then use 2.5 lb NO<sub>x</sub> per gallon to calculate NO<sub>x</sub> from that unit for an average load between 30% and 50%.

- 12.1 To obtain written approval, conduct NO<sub>x</sub> source tests in accordance Section 6 for the desired fish oil blend and for 100 percent diesel fuel as follows:
- a. Test each unit at no less than three loads (high, mid, and low) within the normal operating range of the unit. If the Permittee proves that units have identical configuration, the department will allow one unit to be tested within that group.
  - b. During each test, monitor and record opacity in accordance with Section 11.
  - c. During each test, monitor and record the unit's load, electric generation rate, and blended fuel consumption no less than once every five minutes.
  - d. Obtain for each fuel or fuel blend used during the testing, the fuel-specific high heating value (gross heat value) or analyze a representative sample of the fuel or blend in accordance with ASTM D 240, 4809 or 2382.
  - e. Determine the load specific NO<sub>x</sub> emission factors (pounds per gallons and pounds per hour) expressed as NO<sub>2</sub>, using exhaust properties determined by both Method 19 and exhaust gas measurements as set out in Section 6.
  - f. Report information obtained in condition 10.1 and conditions 12.1b through 12.1e in the source test report required by condition 44.
- 12.2 After department approval of the emission factors derived from source tests conducted under condition 12.1, the Permittee shall use the maximum fuel-specific NO<sub>x</sub> emission factor for a given engine make and model and for a given average monthly load to calculate the emissions as required by condition 10.2. The maximum emission factor is the greatest of the emission factors from a source test that bound the measured monthly load.<sup>6</sup> The source test conducted in condition 12.1 may serve to represent the one time diesel source test required by condition 10.6, after department approval as set out by this condition.
- 12.3 When fish oil is blended, use a metering system to measure volumes accurate to within five percent for each measurement and keep the following records:
- a. date;
  - b. volume of fish oil in the blend;
  - c. volume of diesel fuel in the blend; and
  - d. the blend ratio.

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<sup>6</sup> For example, if the unit's emission test were conducted at 30% load and 50% load with results of 2.0 lb/gallon and 2.5 lb/gallon respectively, then use 2.5 lb NO<sub>x</sub> per gallon to calculate NO<sub>x</sub> from that unit for an average load between 30% and 50%.

- 12.4 Report in accordance with condition 50, all records kept in accordance with condition 12.3.
- 12.5 Report as a permit deviation in accordance with condition 49 if the fish oil is blended at a higher ratio (more fish oil) than that for which the Permittee has conducted an approved source test as required by condition 12.1.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 71.6(a), 7/1/05]  
[Construction Permit No. 232CP01 Revision 1, 10/3/05]

13. **Used Oil**<sup>7</sup>. Until the department approves a particulate matter source test demonstrating that burning used oil will comply with the particulate matter emission standard of condition 5, the Permittee may burn used oil generated by the facility in EU IDs 8 - 11 as follows:

- 13.1 Blend the used oil at a ratio of 1 part used oil to at least 6 parts virgin fuel<sup>8</sup>.
- 13.2 Blend the used oil using a metering system accurate to within five percent.
- 13.3 Monitor and record the amount of used oil blend that the Permittee burns in EU IDs 8 - 11 for each month using a dedicated fuel meter that is accurate to within five percent.
- 13.4 Account for the consumption of used oil blend as set out in the fuel limit according to condition 11.
- 13.5 Report in accordance with condition 50, all records kept in accordance with condition 13.3.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 71.6(a), 7/1/05]  
[Construction Permit No. 232CP01 Revision 1, 10/3/05]

### Insignificant Emission Units

14. For EU IDs 8 - 11 listed in Table A and for emission units at the stationary source that are insignificant as defined in 18 AAC 50.326(d)-(i) that are not listed in this permit, the following apply:

- 14.1 The Permittee shall submit the compliance certifications of condition 51 based on reasonable inquiry;
- 14.2 The Permittee shall comply with the requirements of condition 29;

<sup>7</sup> CAUTION! Although this condition should ensure compliance with the applicable emission standards of 18 AAC 50, this permit does NOT ensure compliance with other applicable State or federal laws concerning management, use, or disposal of used oil.

<sup>8</sup> Virgin fuel refers to diesel fuel oil or fish oil.

- 14.3 The Permittee shall report in the operating report required by condition 50 if an emission unit is insignificant because of actual emissions less than the thresholds of 18 AAC 50.326(e) and actual emissions become greater than any of those thresholds;
- 14.4 No other monitoring, recordkeeping or reporting is required, except as provided in condition 11.
- [18 AAC 50.346(b)(4), 10/1/04]
15. The Permittee shall not cause or allow visible emissions, excluding condensed water vapor, emitted from an industrial process, fuel-burning equipment, or an incinerator to reduce visibility through the exhaust effluent by any of the following:
- 15.1 more than 20 percent for a total of more than three minutes in any one hour<sup>9</sup>;
- [18 AAC 50.050(a)(2), 5/3/02; 18 AAC 50.055(a)(1), 10/1/04]  
[40 C.F.R. 52.70, 7/1/04]
- 15.2 more than 20 percent averaged over any six consecutive minutes<sup>10</sup>.
- [18 AAC 50.050(a)(2), 5/3/02; 18 AAC 50.055(a)(1), 10/1/04]
16. The Permittee shall not cause or allow particulate matter emitted from an industrial process or fuel-burning equipment to exceed 0.05 grains per cubic foot of exhaust gas corrected to standard conditions and averaged over three hours.
- [18 AAC 50.055(b)(1), 10/1/04]
17. The Permittee shall not cause or allow sulfur compound emissions, expressed as SO<sub>2</sub>, from an industrial process or fuel-burning equipment, to exceed 500 ppm averaged over three hours.
- [18 AAC 50.055(c), 10/1/04]

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<sup>9</sup> See Footnote 1.

<sup>10</sup> See Footnote 2.

#### ***Section 4. Federal Requirements***

- 18. Chemical Accident Prevention Provisions.** The Permittee shall comply with the requirements of 40 C.F.R. 68.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 71.6(a), 7/1/05]  
[40 C.F.R. 68, 7/1/06]

- 18.1 As part of the Annual Compliance Certification required by condition 51, the Permittee shall certify that they are in compliance with all requirements of 40 C.F.R. 68 Subpart G including the registration and submission of the Risk Management Plan.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 10/1/04]  
[40 C.F.R. 71.6(a)(3), 7/1/04]  
[40 C.F.R. 68.215(a)(2), 6/20/96]

## **Section 5. General Conditions**

### **Standard Terms and Conditions**

19. Each permit term and condition is independent of the permit as a whole and remains valid regardless of a challenge to any other part of the permit.

[18 AAC 50.326(j)(3), 12/1/04; 18 AAC 50.345(a) & (e), 10/1/04]

20. The permit may be modified, reopened, revoked and reissued, or terminated for cause. A request by the Permittee for modification, revocation and re-issuance, or termination or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

[18 AAC 50.326(j)(3), 12/1/04; 18 AAC 50.345(a) & (f), 10/1/04]

21. The permit does not convey any property rights of any sort, nor any exclusive privilege.

[18 AAC 50.326(j)(3), 12/1/04; 18 AAC 50.345(a) & (g), 10/1/04]

22. **Administration Fees.** The Permittee shall pay to the department all assessed permit administration fees. Administration fee rates are set out in 18 AAC 50.400-405.

[18 AAC 50.326(j)(1), 12/1/04; 18 AAC 50.400-405, 12/14/06]  
[AS 37.10.052(b), 2000; AS 46.14.240 6/7/03]

23. **Assessable Emissions.** The Permittee shall pay to the department an annual emission fee based on the stationary source's assessable emissions as determined by the department under 18 AAC 50.410. The assessable emission fee rate is set out in 18 AAC 50.410(b). The department will assess fees per ton of each air pollutant that the stationary source emits or has the potential to emit in quantities greater than 10 tpy. The quantity for which fees will be assessed is the lesser of

23.1 the stationary source's assessable potential to emit of 341.5 tpy; or

23.2 the stationary source's projected annual rate of emissions that will occur from July 1 to the following June 30, based upon actual annual emissions emitted during the most recent calendar year or another 12-month period approved in writing by the department, when demonstrated by

- a. an enforceable test method described in 18 AAC 50.220;
- b. material balance calculations;
- c. emission factors from EPA's publication AP-42, Vol. I, adopted by reference in 18 AAC 50.035; or
- d. other methods and calculations approved by the department.

[18 AAC 50.040(j)(3), 12/3/05, 18 AAC 50.410, 12/14/06; 18 AAC 50.326(j)(1), 12/1/04;  
18 AAC 50.346(b)(1), 10/1/04; 18 AAC 50.420, 12/14/06]  
[40 C.F.R. 71.5(c)(3)(ii), 7/1/04]

**24. Assessable Emission Estimates.** Emission fees will be assessed as follows:

24.1 no later than March 31 of each year, the Permittee may submit an estimate of the stationary source's assessable emissions to ADEC, Air Permits Program, ATTN: Assessable Emissions Estimate, 410 Willoughby Ave., Juneau, AK 99801-1795; the submittal must include all of the assumptions and calculations used to estimate the assessable emissions in sufficient detail so the department can verify the estimates; or

24.2 if no estimate is received on or before March 31 of each year, emission fees for the next fiscal year will be based on the potential to emit set forth in condition 23.1.

[18 AAC 50.040(j)(3) & 50.410, 12/14/06; 18 AAC 50.326(j)(1), 12/1/04;  
18 AAC 50.346(b)(1), 10/1/04; 18 AAC 50.420, 12/14/06]  
[40 C.F.R. 71.5(c)(3)(ii), 7/1/04]

**25. Good Air Pollution Control Practice.** The Permittee shall do the following for EU IDs 1 - 6:

25.1 perform regular maintenance considering the manufacturer's or the operator's maintenance procedures;

25.2 keep records of any maintenance that would have a significant effect on emissions; the records may be kept in electronic format; and

25.3 keep a copy of either the manufacturer's or the operator's maintenance procedures.

[18 AAC 50.326(j)(3), 12/1/04; 18 AAC 50.030 & 50.346(b)(5), 10/1/04]

**26. Dilution.** The Permittee shall not dilute emissions with air to comply with this permit. Monitoring shall consist of an annual certification that the Permittee does not dilute emissions to comply with this permit.

[18 AAC 50.045(a), 10/1/04]

**27. Reasonable Precautions to Prevent Fugitive Dust.** A person who causes or permits bulk materials to be handled, transported, or stored, or who engages in an industrial activity or construction project shall take reasonable precautions to prevent particulate matter from being emitted into the ambient air.

[18 AAC 50.045(d) & 50.346(c), 10/1/04; 18 AAC 50.040(e), 12/3/05; 18 AAC 50.326(j)(3), 12/1/04]

27.1 The Permittee shall keep records of

a. complaints received by the Permittee and complaints received by the department and conveyed to the Permittee; and

b. any additional precautions that are taken

(i) to address complaints described in condition 27.1 or to address the results of department inspections that found potential problems; and

(ii) to prevent future dust problems.

27.2 The Permittee shall report according to condition 29.

**28. Stack Injection.** The Permittee shall not release materials other than process emissions, products of combustion, or materials introduced to control pollutant emissions from a stack at a source constructed or modified after November 1, 1982, except as authorized by a construction permit, Title V permit, or air quality control permit issued before October 1, 2004.

[18 AAC 50.055(g), 10/1/04]

**29. Air Pollution Prohibited.** No person may permit any emission which is injurious to human health or welfare, animal or plant life, or property, or which would unreasonably interfere with the enjoyment of life or property.

[18 AAC 50.110, 5/26/72; 18 AAC 50.040(e), 12/3/05; 18 AAC 50.326(j)(3), 12/1/04;  
18 AAC 50.346(a), 10/1/04]  
[40 C.F.R. 71.6(a)(3), 7/1/04]

29.1 Monitoring, Recordkeeping, and Reporting for Air Pollution Prohibited:

- a. If emissions present a potential threat to human health or safety, the Permittee shall report any such emissions according to condition 49.
- b. As soon as practicable after becoming aware of a complaint that is attributable to emissions from the stationary source, the Permittee shall investigate the complaint to identify emissions that the Permittee believes have caused or are causing a violation of condition 29.

29.2 The Permittee shall initiate and complete corrective action necessary to eliminate any violation identified by a complaint or investigation as soon as practicable if

- a. after an investigation because of a complaint or other reason, the Permittee believes that emissions from the stationary source have caused or are causing a violation of condition 29; or
- b. the department notifies the Permittee that it has found a violation of condition 29.

29.3 The Permittee shall keep records of

- a. the date, time, and nature of all emissions complaints received;
- b. the name of the person or persons that complained, if known;
- c. a summary of any investigation, including reasons the Permittee does or does not believe the emissions have caused a violation of condition 29; and

- d. any corrective actions taken or planned for complaints attributable to emissions from the stationary source.
- 29.4 With each stationary source operating report under condition 50, the Permittee shall include a brief summary report which must include:
- a. the number of complaints received;
  - b. the number of times the Permittee or the department found corrective action necessary;
  - c. the number of times action was taken on a complaint within 24 hours; and
  - d. the status of corrective actions the Permittee or department found necessary that were not taken within 24 hours.
- 29.5 The Permittee shall notify the department of a complaint that is attributable to emissions from the stationary source within 24 hours after receiving the complaint, unless the Permittee has initiated corrective action within 24 hours of receiving the complaint.
- 30. Technology-Based Emission Standard.** If an unavoidable emergency, malfunction, or non-routine repair, as defined in 18 AAC 50.235(d), causes emissions in excess of a technology-based emission standard<sup>11</sup> listed in condition 32 (refrigerants), the Permittee shall take all reasonable steps to minimize levels of emissions that exceed the standard. Excess emissions reporting under condition 49 requires information on the steps taken to minimize emissions. Monitoring of compliance for this condition consists of the report required under condition 49.
- [18 AAC 50.235(a), 10/1/04; 18 AAC 50.040(j)(4), 12/3/05; 18 AAC 50.326(j)(4), 12/1/04]  
[40 C.F.R. 71.6(c)(6), 7/1/04]
- 31. Asbestos NESHAP.** The Permittee shall comply with the requirements set forth in 40 C.F.R. 61.145, 61.150, and 61.152 of Subpart M, and the applicable sections set forth in 40 C.F.R. 61, Subpart A and Appendix A.
- [18 AAC 50.040(b)(1) & (2)(F), 12/3/05; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 61, Subparts A & M, & Appendix A, 7/1/03]
- 32. Refrigerant Recycling and Disposal.** The Permittee shall comply with the standards for recycling and emission reduction of refrigerants set forth in 40 C.F.R. 82, Subpart F.
- [18 AAC 50.040(d), 12/3/05; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 82, Subpart F, 7/1/03]

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<sup>11</sup> *Technology-based emission standard* means a best available control technology standard (BACT); a lowest achievable emission rate standard (LAER); a maximum achievable control technology standard established under 40 C.F.R. 63, Subpart B, adopted by reference in 18 AAC 50.040(c); a standard adopted by reference in 18 AAC 50.040(a) or (c); and any other similar standard for which the stringency of the standard is based on determinations of what is technologically feasible, considering relevant factors.

## Halon Prohibitions

33. The Permittee shall comply with the following prohibitions set out in 40 C.F.R. 82.174 (Protection of Stratospheric Ozone Subpart G - Significant New Alternatives Policy Program):

[18 AAC 50.040(d), 12/3/05]  
[40 C.F.R. 82.174 (b) - (d), 7/1/03]

- 33.1 Do not use a substitute which a person knows or has reason to know was manufactured, processed, or imported in violation of the regulations of 40 C.F.R. 82 Subpart G or knows or has reason to know was manufactured, processed, or imported in violation of any use restriction in the acceptability determination, after the effective date of any rulemaking imposing such restrictions.
- 33.2 Do not use a substitute without adhering to any use restrictions set by the acceptability decision, after the effective date of any rulemaking imposing such restrictions.
- 33.3 Do not use a substitute after the effective date of any rulemaking adding such substitute to the list of unacceptable substitutes.

34. The Permittee shall comply with the following prohibitions set out in 40 C.F.R. 82.270:

[18 AAC 50.040(d), 12/3/05]  
[40 C.F.R. 82.270 (b)-(f), 7/1/03]

- 34.1 No person testing, maintaining, servicing, repairing, or disposing of halon-containing equipment or using such equipment for technician training may knowingly vent or otherwise release into the environment any halons used in such equipment, as follows:
- a. De minimis<sup>12</sup> releases associated with good faith attempts to recycle or recover halon are not subject to this prohibition.
  - b. Release of residual halon contained in fully discharged total flooding fire extinguishing systems would be considered a de minimis release associated with good faith attempts to recycle or recover halon.
  - c. Release of halons during testing of fire extinguishing systems is not subject to this prohibition if the following four conditions are met:
    - (i) systems or equipment employing suitable alternative fire extinguishing agents are not available;
    - (ii) system or equipment testing requiring release of extinguishing agent is essential to demonstrate system or equipment functionality;

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<sup>12</sup> Legal term meaning “of minimum importance.”

- (iii) failure of the system or equipment would pose great risk to human safety or the environment; and
    - (iv) a simulant agent cannot be used in place of the halon during system or equipment testing for technical reasons.
  - d. Releases of halons associated with research and development of halon alternatives, and releases of halons necessary during analytical determination of halon purity using established laboratory practices are exempt from this prohibition.
  - e. This prohibition does not apply to qualification and development testing during the design and development process of halon-containing systems or equipment when such tests are essential to demonstrate system or equipment functionality and when a suitable simulant agent cannot be used in place of the halon for technical reasons.
  - f. This prohibition does not apply to the emergency release of halons for the legitimate purpose of fire extinguishing, explosion inertion, or other emergency applications for which the equipment or systems were designed.
- 34.2 Organizations that employ technicians who test, maintain, service, repair or dispose of halon-containing equipment shall take appropriate steps to ensure that technicians hired on or before April 6, 1998 will be trained regarding halon emissions reduction by September 1, 1998. Technicians hired after April 6, 1998 shall be trained regarding halon emissions reduction within 30 days of hiring, or by September 1, 1998, whichever is later.
- 34.3 No person shall dispose of halon-containing equipment except by sending it for halon recovery to a manufacturer operating in accordance with NFPA<sup>13</sup> 10 and NFPA 12A standards, a fire equipment dealer operating in accordance with NFPA 10 and NFPA 12A standards or a recycler operating in accordance with NFPA 10 and NFPA 12A standards. This provision does not apply to ancillary system devices such as electrical detection control components which are not necessary to the safe and secure containment of the halon within the equipment, to fully discharged total flooding systems, or to equipment containing only de minimis quantities of halons.
- 34.4 No person shall dispose of halon except by sending it for recycling to a recycler operating in accordance with NFPA 10 and NFPA 12A standards, or by arranging for its destruction using one of the following controlled processes:
  - a. Liquid injection incineration;
  - b. Reactor cracking;

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<sup>13</sup> National Fire Protection Association

- c. Gaseous/fume oxidation;
- d. Rotary kiln incineration;
- e. Cement kiln;
- f. Radio frequency plasma destruction; or
- g. An EPA-approved destruction technology that achieves a destruction efficiency of 98 percent or greater.

34.5 No owner of halon-containing equipment shall allow halon release to occur as a result of failure to maintain such equipment.

### **Open Burning Requirements**

35. The Permittee shall comply with the following requirements when conducting open burning at the stationary source:

35.1 General Requirements. Except when conducting open burning under conditions 35.7, 35.8, or 35.9, a person conducting open burning shall comply with the limitations of conditions 35.2 - 35.6 and shall ensure that

- a. the material is kept as dry as possible through the use of a cover or dry storage;
- b. before igniting the burn, non-combustibles are separated to the greatest extent practicable;
- c. natural or artificially induced draft is present;
- d. to the greatest extent practicable, combustibles are separated from grass or peat layer;
- e. combustibles are not allowed to smolder; and
- f. sufficient written records are kept to demonstrate that the Permittee complies with the limitations in this condition. Upon request of the department, submit copies of the records.

35.2 Black Smoke Prohibited. Except for firefighter training conducted under condition 35.8 or 35.9, open burning of asphalts, rubber products, plastics, tars, oils, oily wastes, contaminated oil cleanup materials, or other materials in a way that gives off black smoke is prohibited without written department approval. Department approval of open burning as an oil spill response countermeasure is subject to the department's *In Situ Burning Guidelines for Alaska*, adopted by reference in 18 AAC 50.035. Open burning approved under this subsection is subject to the following limitations:

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- a. Open burning of liquid hydrocarbons produced during oil or gas well flow tests may occur only when there are no practical means available to recycle, reuse, or dispose of the fluids in a more environmentally acceptable manner;
  - b. The person who conducts open burning shall establish reasonable procedures to minimize adverse environmental effects and limit the amount of smoke generated; and
  - c. The department will, in its discretion, as a condition of approval issued under this subsection, require public notice as described in condition 35.10.
- 35.3 Toxic and Acid Gases and Particulate Matter Prohibited. Open burning or incineration of pesticides, halogenated organic compounds, cyanic compounds, or polyurethane products in a way that gives off toxic or acidic gases or particulate matter is prohibited.
- 35.4 Adverse Effects Prohibited. Open burning of putrescible garbage, animal carcasses, or petroleum-based materials, including materials contaminated with petroleum or petroleum derivatives, is prohibited if it causes odor or black smoke that has an adverse effect on nearby persons or property.
- 35.5 Air Quality Advisory. Open burning is prohibited in an area if the department declares an air quality advisory under 18 AAC 50.245, stating that burning is not permitted in that area for that day.
- 35.6 Wood Smoke Control Areas. Open burning is prohibited between November 1 and March 31 in a wood smoke control area identified in 18 AAC 50.025(b).
- 35.7 Controlled Burning. Controlled burning to manage forest land, vegetative cover, fisheries, or wildlife habitat, other than burning to combat a natural wildfire, requires written department approval if the area to be burned exceeds 40 acres yearly. The department will, in its discretion, require public notice as described in condition 35.10 of this section.
- 35.8 Firefighter Training: Structures. A fire service may open burn structures for firefighter training without ensuring maximum combustion efficiency under the following circumstances:
- a. Before igniting the structure, the fire service shall
    - (i) obtain department approval for the location of the proposed firefighter training; approval will be based on whether the proposed open burning is likely to adversely affect public health in the neighborhood of the structure;

- (ii) visually identify materials in the structure that might contain asbestos, test those materials for asbestos, and remove all materials that contain asbestos;
  - (iii) ensure that the structure does not contain
    - (A) putrescible garbage;
    - (B) electrical batteries;
    - (C) stored chemicals such as fertilizers, pesticides, paints, glues, sealers, tars, solvents, household cleaners, or photographic reagents;
    - (D) stored linoleum, plastics, rubber, tires, or insulated wire;
    - (E) hazardous waste;
    - (F) lead piping;
    - (G) plastic piping with an outside diameter of four inches or more; or
    - (H) urethane or another plastic foam insulation;
  - (iv) provide public notice consistent with condition 35.10; and
  - (v) ensure that a fire-service representative is on-site before igniting the structure;
- b. the fire service shall ignite and conduct training on only one main structure and any number of associated smaller structures at a time; examples of associated smaller structures are garages, sheds, and other outbuildings; and
  - c. the fire service shall respond to complaints in accordance with condition 35.11.

35.9 Firefighter Training: Fuel Burning. Unless a greater quantity is approved by the department, a fire service may open burn up to 250 gallons of uncontaminated fuel daily and up to 600 gallons yearly for firefighter training without ensuring maximum combustion efficiency. To conduct this training without prior written department approval, the fire service shall

- a. provide public notice consistent with condition 35.10 before burning more than 20 gallons of uncontaminated fuel, unless waived in writing by the department; and
- b. respond to complaints in accordance with condition 35.11.

**35.10 Public Notice.** A person required to provide public notice of open burning shall issue the notice through local news media or by other appropriate means if the area of the open burning does not have local news media. The public notice must be issued as directed by the department and must

- a. state the name of the person conducting the burn;
- b. provide a list of material to be burned;
- c. provide a telephone number to contact the person conducting the burn before and during the burn;
- d. for a surprise fire drill, state
  - (i) the address or location of the training; and
  - (ii) the beginning and ending dates of the period during which a surprise fire drill may be conducted (this period may not exceed 30 days); and
- e. for open burning other than a surprise fire drill, state the expected time, date, and location of the open burning.

**35.11 Complaints.** A person required to provide public notice of open burning shall

- a. make a reasonable effort to respond to complaints received about the burn;
- b. keep, for at least 30 days, a record of all complaints received about the burn, including to the extent feasible
  - (i) the name, address, and telephone number of each person who complained;
  - (ii) a short summary of each complaint; and
  - (iii) any action the person conducting the open burning took to respond to each complaint; and
- c. upon request, provide the department with a copy of the records kept under condition 35.11b.

[18 AAC 50.065, 1/18/97; 18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 71.6(a)(3), 7/1/04]

## ***Section 6. General Source Testing and Monitoring Requirements***

- 36. Requested Source Tests.** In addition to any source testing explicitly required by the permit, the Permittee shall conduct source testing as requested by the department to determine compliance with applicable permit requirements.

[18 AAC 50.220(a) & 50.345(a) & (k), 10/1/04]

- 37. Operating Conditions.** Unless otherwise specified by an applicable requirement or test method, the Permittee shall conduct source testing:

[18 AAC 50.220(b), 10/1/04]

37.1 at a point or points that characterize the actual discharge into the ambient air; and

37.2 at the maximum rated burning or operating capacity of the emission unit or another rate determined by the department to characterize the actual discharge into the ambient air.

- 38. Reference Test Methods.** The Permittee shall use the following as reference test methods when conducting source testing for compliance with this permit:

38.1 Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(a) must be conducted in accordance with the methods and procedures specified in 40 C.F.R. 60.

[18 AAC 50.220(c)(1)(A), 10/1/04 ; 18 AAC 50.040(a), 12/3/05]  
[40 C.F.R. 60, 7/1/03]

38.2 Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(b) must be conducted in accordance with the methods and procedures specified in 40 C.F.R. 61.

[18 AAC 50.040(b), 12/3/05; 18 AAC 50.220(c)(1)(B), 10/1/04]  
[40 C.F.R. 61, 7/1/03]

38.3 Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(c) must be conducted in accordance with the source test methods and procedures specified in 40 C.F.R. 63.

[18 AAC 50.040(c), 12/3/05; 18 AAC 50.220(c)(1)(C), 10/1/04]  
[40 C.F.R. 63, 2/3/04]

38.4 Source testing for the reduction in visibility through the exhaust effluent must be conducted in accordance with the procedures set out in Reference Method 9 and may use the form in Section 11 to record data.

[18 AAC 50.030, 5/03/02 & 50.220(c)(1)(D), 10/1/04]

38.5 Source testing for emissions of total particulate matter, sulfur compounds, nitrogen compounds, carbon monoxide, lead, volatile organic compounds, fluorides, sulfuric acid mist, municipal waste combustor organics, metals, and acid gases must be conducted in accordance with the methods and procedures specified in 40 C.F.R. 60, Appendix A.

[18 AAC 50.040(a)(3), 12/3/05; 18 AAC 50.220(c)(1)(E), 10/1/04]  
[40 C.F.R. 60, Appendix A, 7/8/04]

38.6 Source testing for emissions of PM-10 must be conducted in accordance with the procedures specified in 40 C.F.R. 51, Appendix M, Methods 201 or 201A and 202.

[18 AAC 50.035(b)(2), 12/3/05; 18 AAC 50.220(c)(1)(F), 10/1/04]  
[40 C.F.R. 51, Appendix M, 7/1/03]

38.7 Source testing for emissions of any pollutant may be determined using an alternative method approved by the department in accordance with 40 C.F.R. 63, Appendix A, Method 301.

[18 AAC 50.040(c)(24), 12/3/05; 18 AAC 50.220(c)(2), 10/1/04]  
[40 C.F.R. 63, Appendix A Method 301, 2/3/04]

39. **Excess Air Requirements.** To determine compliance with this permit, standard exhaust gas volumes must include only the volume of gases formed from the theoretical combustion of the fuel, plus the excess air volume normal for the specific emission unit type, corrected to standard conditions (dry gas at 68° F and an absolute pressure of 760 millimeters of mercury).

[18 AAC 50.220(c)(3), 10/1/04; 18 AAC 50.990(102), 12/3/05]

40. **Test Exemption.** The Permittee is not required to comply with conditions 42, 43 and 44 when the exhaust is observed for visible emissions by Method 9 Plan (condition 2.1) or Smoke/No Smoke Plan (condition 2.2).

[18 AAC 50.345(a), 10/1/04]

41. **Test Deadline Extension.** The Permittee may request an extension to a source test deadline established by the department. The Permittee may delay a source test beyond the original deadline only if the extension is approved in writing by the department's appropriate division director or designee.

[18 AAC 50.345(a) & (l), 10/1/04]

42. **Test Plans.** Except as provided in condition 40, before conducting any source tests, the Permittee shall submit a plan to the department. The plan must include the methods and procedures to be used for sampling, testing, and quality assurance and must specify how the emission unit will operate during the test and how the Permittee will document that operation. The Permittee shall submit a complete plan within 60 days after receiving a request under condition 36 and at least 30 days before the scheduled date of any test unless the department agrees in writing to some other time period. Retesting may be done without resubmitting the plan.

[18 AAC 50.345(a) & (m), 10/1/04]

43. **Test Notification.** Except as provided in condition 40, at least 10 days before conducting a source test, the Permittee shall give the department written notice of the date and the time the source test will begin.

[18 AAC 50.345(a) & (n), 10/1/04]

- 44. Test Reports.** Except as provided in condition 40, within 60 days after completing a source test, the Permittee shall submit two copies of the results in the format set out in the *Source Test Report Outline*, adopted by reference in 18 AAC 50.030. The Permittee shall additionally certify the results in the manner set out in condition 46. If requested in writing by the department, the Permittee must provide preliminary results in a shorter period of time specified by the department.

[18 AAC 50.345(a) & (o), 10/1/04]

## ***Section 7. General Recordkeeping and Reporting Requirements***

### **Recordkeeping Requirements**

- 45. Recordkeeping Requirements.** The Permittee shall keep all records required by this permit for at least five years after the date of collection, including:

[18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 60.7(f), Subpart A, 7/8/04 & 71.6(a)(3)(i)(B), 7/1/04]

- 45.1 copies of all reports and certifications submitted pursuant to this section of the permit; and
- 45.2 records of all monitoring required by this permit, and information about the monitoring including:
- a. the date, place, and time of sampling or measurements;
  - b. the date(s) analyses were performed;
  - c. the company or entity that performed the analyses;
  - d. the analytical techniques or methods used;
  - e. the results of such analyses; and,
  - f. the operating conditions as existing at the time of sampling or measurement.

### **Reporting Requirements**

- 46. Certification.** The Permittee shall certify all reports, compliance certifications, or other documents submitted to the department and required under the permit by including the signature of a responsible official for the permitted stationary source following the statement: "Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete." Excess emission reports must be certified either upon submittal or with an operating report required for the same reporting period. All other reports and other documents must be certified upon submittal.

- 46.1 The department may accept an electronic signature on an electronic application or other electronic record required by the department if
- a. a certifying authority registered under AS 09.25.510 verifies that the electronic signature is authentic; and
  - b. the person providing the electronic signature has made an agreement, with the certifying authority described in condition 46.1a, that the person accepts or agrees to be bound by an electronic record executed or adopted with that signature.

[18 AAC 50.205 & 50.345(a) & (j), 10/1/04; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 71.6(a)(3)(iii)(A), 7/1/04]

- 47. Submittals.** Unless otherwise directed by the department or this permit, the Permittee shall send two copies of reports, compliance certifications, and other submittals required by this permit to ADEC, Air Permits Program, 610 University Ave., Fairbanks, AK 99709-3643, ATTN: Compliance Technician. The Permittee may, upon consultation with the Compliance Technician regarding software compatibility, provide electronic copies of data reports, emission source test reports, or other records under a cover letter certified in accordance with condition 46.

[18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 71.6(a)(3)(iii)(A), 7/1/04]

- 48. Information Requests.** The Permittee shall furnish to the department, within a reasonable time, any information the department requests in writing to determine whether cause exists to modify, revoke and reissue, or terminate the permit or to determine compliance with the permit. Upon request, the Permittee shall furnish to the department copies of records required to be kept by the permit. The department may require the Permittee to furnish copies of those records directly to the federal administrator.

[18 AAC 50.200 & 50.345(a) & (i), 10/1/04; 18 AAC 50.326(a) & (j), 12/1/04]  
[40 C.F.R. 71.5(a)(2) & 71.6(a)(3), 7/1/04]

**49. Excess Emissions and Permit Deviation Reports.**

[18 AAC 50.235(a)(2); 50.240(c); & 50.346(b)(2) & (3), 10/1/04; 18 AAC 50.326(j)(3), 12/1/04]

- 49.1 Except as provided in condition 29, the Permittee shall report all emissions or operations that exceed or deviate from the requirements of this permit as follows:

- a. in accordance with 18 AAC 50.240(c), as soon as possible after the event commenced or is discovered, report
  - (i) emissions that present a potential threat to human health or safety; and
  - (ii) excess emissions that the Permittee believes to be unavoidable;
- b. in accordance with 18 AAC 50.235(a), within two working days after the event commenced or was discovered, report an unavoidable emergency, malfunction, or nonroutine repair that causes emissions in excess of a technology based emission standard;
- c. report all other excess emissions and permit deviations
  - (i) within 30 days of the end of the month in which the emissions or deviation occurs, except as provided in conditions 49.1c(ii) and 49.1c(iii);
  - (ii) if a continuous or recurring excess emissions is not corrected within 48 hours of discovery, within 72 hours of discovery unless the department provides written permission to report under condition 49.1c(i); and

(iii) for failure to monitor, as required in other applicable conditions of this permit.

49.2 The Permittee must report using either the department's on-line form, which can be found at <http://www.dec.state.ak.us/air/ap/docs/adby/4notform.pdf>, or if the Permittee prefers, the form contained in Section 12 of this permit. The Permittee must provide all information called for in the form that is used.

49.3 If requested by the department, the Permittee shall provide a more detailed written report as requested to follow up an excess emissions report.

**50. Operating Reports.** During the life of this permit<sup>14</sup>, the Permittee shall submit to the department one original and one copy of an operating report by August 1 for the period January 1 to June 30 of the current year and by February 1 for the period July 1 to December 31 of the previous year. The Permittee, at their discretion, may submit one copy in electronic format (PDF or other department compatible image format).

[18 AAC 50.346(a) & 50.326(j), 12/1/04]  
[40 C.F.R. 71.6(a)(3)(iii)(A), 7/1/04]

50.1 The operating report must include all information required to be in operating reports by other conditions of this permit.

50.2 If excess emissions or permit deviations that occurred during the reporting period are not reported under condition 49, either

a. The Permittee shall identify

- (i) the date of the deviation;
- (ii) the equipment involved;
- (iii) the permit condition affected;
- (iv) a description of the excess emissions or permit deviation; and
- (v) any corrective action or preventive measures taken and the date of such actions; or

b. When excess emissions or permit deviations have already been reported under condition 49 the Permittee may cite the date or dates of those reports.

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<sup>14</sup> "Life of this permit" is defined as the permit effective dates, including any periods of reporting obligations that extend beyond the permit effective dates. For example if a permit expires prior to the end of a calendar year, there is still a reporting obligation to provide operating reports for the periods when the permit was in effect.

50.3 The operating report must include a listing of emissions monitored under conditions 2.1e, and 2.2c, which trigger additional testing or monitoring, whether or not the emissions monitored exceed an emission standard. The Permittee shall include in the report

- a. the date of the emissions;
- b. the equipment involved;
- c. the permit condition affected; and
- d. the monitoring result which triggered the additional monitoring.

50.4 **Transition from expired to renewed permit.** For the first period of this renewed operating permit, also provide the previous permit's facility operating report elements covering that partial period immediately preceding the effective date of this renewed permit.

51. **Annual Compliance Certification.** Each year by March 31, the Permittee shall compile and submit to the department one original<sup>15</sup> and one copy of an annual compliance certification report. The Permittee, at their discretion, may submit one copy in electronic format (PDF or other department compatible image format).

51.1 Certify the compliance status of the stationary source over the preceding calendar year consistent with the monitoring required by this permit, as follows:

- a. identify each term or condition set forth in Section 3 through Section 9, that is the basis of the certification;
- b. briefly describe each method used to determine the compliance status;
- c. state whether compliance is intermittent or continuous; and
- d. identify each deviation and take it into account in the compliance certification;

51.2 **Transition from expired to renewed permit.** For the first period of this renewed operating permit, also provide the previous permit's annual compliance certification report elements covering that partial period immediately preceding the effective date of this renewed permit

51.3 In addition, submit a copy of the report directly to the EPA-Region 10, Office of Air Quality, M/S OAQ-107, 1200 Sixth Avenue, Seattle, WA 98101.

[18 AAC 50.205 & 50.326(j), 12/1/04 & 50.345(a) & (j), 5/03/02]  
[40 C.F.R. 71.6(c)(5), 7/1/04]

52. **NSPS and NESHAP Reports.** The Permittee shall:

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<sup>15</sup> See 51.2 for clarification

- 52.1 attach to the facility operating report required by condition 50, copies of any NSPS and NESHAPs reports submitted to EPA-Region 10; and
- 52.2 upon request by the department, notify and provide a written copy of any EPA-granted waiver of the federal emission standards, recordkeeping, monitoring, performance testing, or reporting requirements, or approved custom monitoring schedules.

[18 AAC 50.326(j)(4), 12/1/04, 18 AAC 50.040(j), 12/3/05]  
[40 CFR 71.6(c)(6), 7/1/04]

## **Section 8. Permit Changes and Renewal**

- 53. Emissions Trading.** No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in the permit.

[18 AAC 50.040(j)(4), 12/3/05; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 71.6(a)(8), 7/1/04]

- 54. Off Permit Changes.** The Permittee may make changes that are not addressed or prohibited by this permit other than those subject to the requirements of 40 C.F.R. Part 72 through 78 or those that are modifications under any provision of Title I of the Act to be made without a permit revision, provided that the following requirements are met:

[18 AAC 50.040(j)(4), 12/3/05; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 71.6(a)(12), 7/1/04]

- 54.1 Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition;
- 54.2 Provide contemporaneous written notice to EPA and the department of each such change, except for changes that qualify as insignificant under 18 AAC 50.326(d) – (i). Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change;
- 54.3 The change shall not qualify for the shield under 40 C.F.R. 71.6(f);
- 54.4 The Permittee shall keep a record describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.
- 55. Operational Flexibility.** The Permittee may make changes within the permitted stationary source without requiring a permit revision if the changes are not modifications under any provision of Title I of the Act and the changes do not exceed the emissions allowable under this permit (whether expressed therein as a rate of emissions or in terms of total emissions):
- 55.1 The Permittee shall provide EPA and the department with a notification no less than 7 days in advance of the proposed change.
- 55.2 For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.
- 55.3 The permit shield described in 40 C.F.R. 71.6(f) shall not apply to any change made pursuant to condition 55.

[18 AAC 50.040(j)(4), 12/3/05; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 71.6(a)(13), 7/1/04]

- 56. Permit Renewal.** To renew this permit, the Permittee shall submit an application under 18 AAC 50.326 no sooner than **May 16, 2011** and no later than **May 16, 2012**. The renewal application shall complete the renewal application before the permit expiration date listed on the cover page of this permit. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 40 C.F.R. 71.7(b) and 71.5(a)(1)(iii).

[18 AAC 50.040(j)(3), 12/3/05; 18 AAC 50.326(c)(2) & (j)(2), 10/1/04]  
[40 C.F.R. 71.5(a)(1)(iii); 71.7(b) & (c)(1)(ii), 7/1/04]

- 57. Permit Applications.** The Permittee shall send original applications for modification, or renewal of this permit and application addenda to the department's Anchorage office<sup>16</sup>. In addition, the Permittee may provide electronic copies of application documents; portable document format (pdf) or MS Word are acceptable formats.

[18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 71.7(a)(1)(i), 7/1/04]

- 58.** The Permittee shall submit to the US Environmental Protection Agency (EPA) to the same address as in condition 51.3:

58.1 a copy of any application for modification, or renewal of this permit and application addenda, at the time the application or addendum is submitted to the department;

58.2 to the extent practicable, the permittee shall provide to EPA applications in computer-readable format compatible with EPA's national database management system. In the interim until EPA implements such system, portable document format (pdf) or MS Word are acceptable formats.

[18 AAC 50.040(j)(7), 18 AAC 50.326(b), 12/1/04]  
[40 CFR 70.10(d)(1)), 7/1/04]

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<sup>16</sup> The current address for the Anchorage office is: ADEC, 619 East Ship Creek, Suite 249, Anchorage, AK 99501

## ***Section 9. Compliance Requirements***

### **General Compliance Requirements**

**59.** Compliance with permit terms and conditions is considered to be compliance with those requirements that are

59.1 included and specifically identified in the permit; or

59.2 determined in writing in the permit to be inapplicable.

[18 AAC 50.326(j)(3), 12/1/04; 18 AAC 50.345(a) & (b), 10/1/04]

**60.** The Permittee must comply with each permit term and condition. Noncompliance with a permit term or condition constitutes a violation of AS 46.14.120(c), 18 AAC 50, and, except for those terms or conditions designated in the permit as not federally enforceable, the Clean Air Act, and is grounds for

60.1 an enforcement action;

60.2 permit termination, revocation and reissuance, or modification in accordance with AS 46.14.280; or

60.3 denial of an operating permit renewal application.

[18 AAC 50.326(j)(3), 12/1/04; 18 AAC 50.345(a) & (c), 10/1/04]

**61.** It is not a defense in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with a permit term or condition.

[18 AAC 50.326(j)(3), 12/1/04; 18 AAC 50.345(a) & (d), 10/1/04]

**62.** The Permittee shall allow the department or an inspector authorized by the department, upon presentation of credentials and at reasonable times with the consent of the owner or operator to

62.1 enter upon the premises where a source subject to the permit is located or where records required by the permit are kept;

62.2 have access to and copy any records required by the permit;

62.3 inspect any stationary source, equipment, practices, or operations regulated by or referenced in the permit; and

62.4 sample or monitor substances or parameters to assure compliance with the permit or other applicable requirements.

[18 AAC 50.326(j)(3), 12/1/04; 18 AAC 50.345(a) & (h), 10/1/04]

### **Compliance Schedule**

- 63.** For applicable requirements with which the Trident Sand Point Seafood Processing Facility is in compliance, the Permittee will continue to comply with such requirements.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 71.6(c)(3) & 71.5(c)(8)(iii)(A), 7/1/04]

- 64.** For applicable requirements that will become effective during the permit term, the Permittee shall meet such requirements on a timely basis.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 71.6(c)(3) & 71.5(c)(8)(iii)(B), 7/1/04]

**Section 10. Permit As Shield from Inapplicable Requirements**

In accordance with AS 46.14.290, and based on information supplied in the stationary source application, this section of the permit contains the requirements determined by the department not to be applicable to the Sand Point Seafood Processing Facility.

65. Nothing in this permit shall alter or affect the following:

65.1 The provisions of Section 303 of the Act (emergency orders), including the authority of the Administrator under that section; or

65.2 The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance.

[18 AAC 50.326(j), 12/1/04]  
 [40 C.F.R. 71.6(f)(3)(i) & (ii), 7/1/04]

66. Table B identifies the emission units that are not subject to the specified requirements at the time of permit issuance. If any of the requirements listed in Table B becomes applicable during the permit term, the Permittee shall comply with such requirements on a timely basis including, but not limited to, providing appropriate notification to EPA, obtaining a construction permit and/or an operating permit revision.

[18 AAC 50.326(j), 12/1/04]  
 [40 C.F.R. 71.6(f)(1)(ii), 7/1/04]

**Table B - Permit Shields Granted**

EU ID	Non-Applicable Requirements	Reason for Non-Applicability
All	18 AAC 50.316 for major HAP sources	HAP emissions are less than the major source thresholds (10 tpy for an individual HAP or 25 tpy for a combination of HAPs).
1-6	40 C.F.R. 63 Subpart ZZZZ for Reciprocating Internal Combustion Engines	HAP emissions are less than the major source thresholds (10 tpy for an individual HAP or 25 tpy for a combination of HAPs).
8-11	40 C.F.R. 60 Subpart Dc for Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	EU ID 8 does not meet the definition of "steam generating unit." EU IDs 9 and 10 were constructed before June 9, 1989 and were not modified or reconstructed since being constructed (EU IDs 9 and 10 were constructed in 1975 and 1972, respectively). EU ID 11 has a maximum design heat input capacity of less than 10 MMBtu/hr.
Tanks 1-13	40 C.F.R. 60 Subpart K for storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after June 11, 1973 and prior to May 19, 1978	According to the certified renewal application information, none of the tanks were constructed between the applicability dates in the rule (Tank 1 was constructed in 1987, Tanks 2-4 in 1957, Tank 5 in 1980, Tanks 6-7 in 1995, and Tanks 8-13 in 1980).
Tanks 1-13	40 C.F.R. 60 Subpart Ka for storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after May 18, 1978 and prior to June 23, 1984	According to the certified renewal application information, Tanks 1-4, 6, and 7 were not constructed between the applicability dates in the rule (see details above) and the capacity of Tanks 3-13 are all less than the 40,000-gallon threshold.
Tanks 1-13	40 C.F.R. 60 Subpart Kb for storage vessels for volatile organic liquids for	According to the certified renewal application information, Tanks 2-5 and 8-13 were all constructed before the

EU ID	Non-Applicable Requirements	Reason for Non-Applicability
	which construction, reconstruction, or modification commenced after June 23, 1984	applicability date (see details above), Tanks 6 and 7 are less than the 19,813-gallon applicable threshold, and Tank 1 stores diesel fuel with a maximum true vapor pressure less than 3.5 kilopascals (kPa).

## Section 11. Visible Emissions Forms

### Visible Emissions Field Data Sheet

Certified Observer: \_\_\_\_\_

Company & Stationary Source: Trident Seafoods Corp., Sand Point Seafood Processing Facility

Location: Sand Point, AK

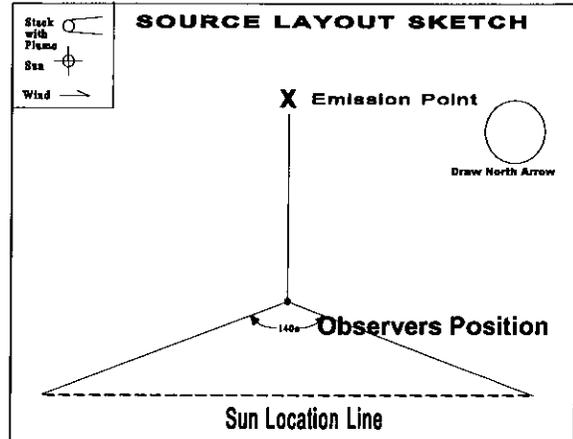
Test No.: \_\_\_\_\_ Date: \_\_\_\_\_

Emission Unit: \_\_\_\_\_

Production Rate/  
 Operating Rate: \_\_\_\_\_

Unit Operating Hours: \_\_\_\_\_

Hours of Observation: \_\_\_\_\_



Clock Time	Initial				Final
Observer Location: Distance to Discharge					
Direction from Discharge					
Height of Observer Point					
Background Description					
Weather Conditions: Wind Direction					
Wind Speed					
Ambient Temperature					
Relative Humidity					
Sky Conditions (clear, overcast, % clouds, etc.)					
Plume Description: Color					
Distance Visible					
Water Droplet Plume? (Attached or detached?)					
Other Information					



**Section 12. ADEC Notification Form<sup>17</sup>**

Sand Point Seafood Processing Facility  
Stationary Source Name  
Trident Seafoods Corporation  
Company Name

AQ0232TVP02  
Air Quality Permit Number

**When did you discover the Excess Emissions/Permit Deviation?**

Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Time: \_\_\_\_\_ : \_\_\_\_\_

**When did the event/deviation occur?**

Begin Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Time: \_\_\_\_\_ : \_\_\_\_\_ (please use 24-hr clock)  
End Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Time: \_\_\_\_\_ : \_\_\_\_\_ (please use 24-hr clock)

**What was the duration of the event/deviation?** \_\_\_\_\_ : \_\_\_\_\_ (hrs:min) or \_\_\_\_\_ days  
(total # of hrs, min, or days, if intermittent then include only the duration of the actual emissions/deviation)

**Reason for Notification:** (please check only 1 box and go to the corresponding section)

- Excess Emissions - Complete Section 1 and Certify.
- Deviation from Permit Condition - Complete Section 2 and Certify
- Deviations from COBC, CO, or Settlement Agreement - Complete Section 2 and Certify

**Section 1. Excess Emissions**

(a) Was the Exceedance:  Intermittent or  Continuous

(b) Cause of Event (Check one that applies):

- Start Up /Shut Down
- Natural Cause (weather/earthquake/flood)
- Control Equipment Failure
- Scheduled Maintenance/Equipment Adjustment
- Bad fuel/coal/gas
- Upset Condition
- Other \_\_\_\_\_

(c) Description:

Describe briefly, what happened and the cause. Include the parameters/operating conditions exceeded, limits, monitoring data and exceedance.

(d) Emissions Units Involved:

Identify the emission unit involved in the event, using the same identification number and name as in the permit. Identify each emission standard potentially exceeded during the event and the exceedance.

EU ID	EU Name	Permit Condition Exceeded/Limit/Potential Exceedance

<sup>17</sup> Revised as of August 24, 2006.

(e) Type of Incident (please check only one):

- Opacity \_\_\_\_\_ %     
  Venting \_\_\_\_\_ (gas/scf)     
  Control Equipment Down  
 Fugitive Emissions     
  Emission Limit Exceeded     
  Flaring  
 Marine Vessel Opacity     
  Other: \_\_\_\_\_

(f) Unavoidable Emissions:

Do you intend to assert that these excess emissions were unavoidable?     Yes       No

Do you intend to assert the affirmative defense of 18 AAC 50.235?       Yes       No

Certify Report (go to end of form)

**Section 2 Permit Deviations**

(a) Permit Deviation Type (check one box only, corresponding with the section in the permit):

- Emission Unit Specific  
 Failure to monitor/report  
 General Source Test/Monitoring Requirements  
 Recordkeeping/Reporting/Compliance Certification  
 Standard Conditions Not Included in Permit  
 Generally Applicable Requirements  
 Reporting/Monitoring for Diesel Engines  
 Insignificant Emission Unit  
 Record Keeping Failure  
 Stationary Source Wide  
 Other Section \_\_\_\_\_ (title of section and section number of your permit).

(b) Emission Unit Involved:

Identify the emission unit involved in the event, using the same identification number and name

EU	EU Name	Permit Condition / Potential Deviation

as in the permit. List the corresponding permit conditions and the deviation.

(c) Description of Potential Deviation:

Describe briefly what happened and the cause. Include the parameters/operating conditions and the potential deviation.

(d) Corrective Actions:

Describe actions taken to correct the deviation or potential deviation and to prevent future recurrence.

**Certification:**

Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone Number: \_\_\_\_\_

**To Submit this Report:**

Fax to: 907-451-2187;

Email to: [DEC.AQ.Airreports@alaska.gov](mailto:DEC.AQ.Airreports@alaska.gov) - *if emailed, the report must be certified within the Operating Report required for the same reporting period per condition 50;*

Mail to: ADEC, Air Permits Program, 610 University Avenue, Fairbanks, AK 99709-3643;

Phone Notification: 907-451-5173 - *phone notifications require a written follow-up report within the deadline listed in condition 49; OR*

Online Submission: *(Website is not yet available) - if submitted online, the report must be certified within the Operating Report required for the same reporting period per condition 50.*

**Alaska Department of Environmental Conservation  
Air Permits Program**

**Trident Seafoods Corporation  
Sand Point Seafood Processing Facility**

**STATEMENT OF BASIS  
of the terms and conditions for  
Permit No. AQ0232TVP02**

**Prepared by Timothy Knapp  
October 17, 2007**

## INTRODUCTION

This document sets forth the statement of basis for the terms and conditions of Operating Permit No. AQ0232TVP02.

## STATIONARY SOURCE IDENTIFICATION

Section 1 of Operating Permit No. AQ0232TVP02 contains information on the stationary source, as provided in the Title V permit application.

The stationary source (i.e., the Sand Point Seafood Processing Facility) is owned and operated by Trident Seafoods Corporation, and Trident Seafoods Corporation is the Permittee for the stationary source's operating permit. The SIC code for this stationary source is 2092 -- Prepared Fresh or Frozen Fish and Seafoods.

The stationary source is a land-based seafood processing plant. Activities include cleaning the fish, filleting or reducing it to surimi, and then freezing those products. The plant processes pollock, cod, and salmon.

## EMISSION UNIT INVENTORY AND DESCRIPTION

Under 18 AAC 50.326(a), the department requires operating permit applications to include identification of all emissions-related information, as described under 40 C.F.R. 71.5(c)(3).

The emission units at the Sand Point Seafood Processing Facility that have specific monitoring, recordkeeping, and reporting requirements are listed in Table A of Operating Permit No. AQ0232TVP02, including six diesel-fired engines, three oil-fired boilers, and a fishmeal plant with dryer.

Table A of Operating Permit No. AQ0232TVP02 also contains specific information on each of the emission units that are regulated by this permit and provided in the application. The table is provided for informational and identification purposes only. Specifically, the emission unit rating/size provided in the table is not intended to create an enforceable limit.

## EMISSIONS

A summary of the potential to emit (PTE)<sup>1</sup> and assessable PTE as calculated by the department from application information from the Sand Point Seafood Processing Facility is shown in the table below.

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<sup>1</sup> Potential to Emit or PTE means the maximum capacity of a stationary source to emit a pollutant under its physical or operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source, as defined in AS 46.14.990(23), effective 12/3/05.

**Table C - Emissions Summary, in Tons per Year (tpy)**

Pollutant	NO <sub>x</sub>	CO	PM-10	SO <sub>2</sub>	VOC	HAP	Total
PTE	235.4	39.6	7.7	54.8	11.8	2.46	349.2
Assessable PTE	235.4	39.6	0	54.8	11.8	0	341.6

The assessable PTE listed under condition 23.1 is the sum of the emissions of each individual regulated air pollutant for which the stationary source has the PTE in quantities greater than 10 tpy. The emissions listed in Table C are estimates for informational use only. The listing of the emissions does not create an enforceable limit to the stationary source.

The source is limited by condition 13.5 to a maximum of 226.8 tpy of NO<sub>x</sub> for EU IDs 1 - 6. EU IDs 8 - 11 are limited to a total of 764,900 gallons of fuel per 12 month period by condition 14. These limitations were used in the calculation of the stationary source PTE. For EU IDs 1 - 6, fuel was allocated until the NO<sub>x</sub> limit was exceeded to create the worst case scenario for each pollutant. Different fuel allocation scenarios were identified as the worst case. For all but VOCs the worst case scenario occurred when EU IDs 2, 3, and 4 were allocated to full capacity and EU ID 1 was used to complete the NO<sub>x</sub> limit, about 37% of its capacity. For VOCs the worst case scenario occurred with EU ID 1 running at full capacity and EU ID 4 running at about 62%.

In addition, the PTE reflected in the table includes insignificant emission units not listed in the permit. These include emissions from bunkhouse heaters and VOC emissions from fuel tanks calculated using the EPA TANKS software program.

NO<sub>x</sub> emissions (and fuel allocations) were calculated using emission factors determined from source testing for EU IDs 2 - 4, vendor data for EU IDs 1, 5, and 6, and AP-42 for all other units. Sulfur emissions were calculated by mass balance using 0.29% fuel sulfur content as limited by condition 12. Particulate matter emissions were calculated using emission factors from source testing for EU IDs 1 - 6 and AP-42 factors for EU IDs 8-11. CO emissions were calculated using vendor data for EU IDs 1 and 5, and AP-42 factors for the rest. VOC emission factors were taken from vendor data for EU IDs 1 - 6 and AP-42 for EU IDs 8 - 11.

Hazardous air pollutants (HAPs) were estimated using AP-42 emission factors and the fuel allocation for EU IDs 1 - 6 described above. HAP estimates were not included in the total in the table above as most HAPs are VOCs. The stationary source is not a major source of HAPs.

### **BASIS FOR REQUIRING AN OPERATING PERMIT**

In accordance with 18 AAC 50.326(a), an owner or operator of a Title V source<sup>2</sup> must obtain a Title V permit consistent with 40 C.F.R. Part 71, as adopted by reference in 18 AAC 50.040.

This stationary source requires an operating permit because it is classified under 18 AAC 50.326(a) and 40 C.F.R. 71.3(a)(1) as a major stationary source that as defined in Section 302 of the Act, directly emits, or has the potential to emit, 100 tpy or more of any air pollutant.

<sup>2</sup> "Title V source" means a stationary source classified as needing a permit under AS 14.130(b) [ref. 18 AAC 50.990(111)].

## **CURRENT AIR QUALITY PERMITS**

### **Previous Air Quality Permit to Operate**

No previous air quality control permit-to-operate exists for this stationary source.

### **Construction Permits**

Construction Permit No. 232CP01 was issued to the stationary source on September 27, 2004 to avoid project classification as PSD major and to protect ambient air quality standards and increments. This permit was administratively revised by Construction Permit No. 232CP01 Revision 1 on October 3, 2005 to correct typographical errors. The stationary source-specific requirements established in the construction permit are included in this operating permit as described in Table D.

### **Title V Operating Permit Application, Revisions and Renewal History**

The Permittee submitted an application for an operating permit on December 2, 1997. This application was amended on October 19, 1999. The application administratively defaulted complete 60 days after department receipt. On December 28, 2000, the department issued Title V Operating Permit No. 232TVP01. The department issued Permit No. 232TVP01 Administrative Revision 1 on December 20, 2002 to update the condition concerning emission fees to the standard condition adopted by reference into 18 AAC 50 on May 3, 2002. The department issued Permit No. 232TVP01 Significant Revision 2 on December 7, 2004 to incorporate the terms and conditions in Construction Permit No. 232CP01 and update other permit conditions.

The Permittee submitted an application for a renewed operating permit on June 22, 2005 with supplemental information submitted on October 27, 2005. The application defaulted to complete on December 26, 2005. As part of the renewal permit process, the Permittee requested that the department incorporate the changes of Construction Permit No. 232CP01 Revision 1. During the public comment period, the Permittee requested that the department revise the emission unit information for EU ID 10, which was replaced (requested previously by letter on March 27, 2007). The department determined that the replacement unit did not trigger any additional applicable requirements or permitting, and included the updated emission unit information in the permit renewal. The change did not affect emissions, actual or potential, as the fuel limit still applies.

## **COMPLIANCE HISTORY**

The stationary source has operated at its current location since 1977 and never had a permit before issuance of Operating Permit No. 232TVP01 on December 28, 2000. Past installations of emission units as far back as 1986 triggered the need for an air quality permit. Upon issuance of the original operating permit, the department incorporated limits to avoid classification as Prevention of Significant Deterioration major source. In addition, the department incorporated the requirement to either get a construction permit or provide information to prove a construction permit was not needed to address the past modifications. Construction Permit No. 232CP01 was issued on September 27, 2004, and addressed these past non-compliance issues.

Since issuance of the construction permit, the Permittee was issued a compliance letter on May 17, 2006 as a result of the department's full compliance evaluation, which found procedural violations.

**STATIONARY SOURCE-SPECIFIC REQUIREMENTS CARRIED FORWARD**

State of Alaska regulation in 18 AAC 50.326(j) with reference to 40 C.F.R. Part 71.6 requires that an operating permit include all emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of permit issuance. These requirements include, but are not limited to, each stationary source-specific requirement established in the most recent operating permit or in any other construction permit issued under 18 AAC 50 that are still in effect at the time of permit issuance.

Table D below lists the requirements carried forward from Construction Permit No. 232CP01 Revision 1 into Operating Permit No. AQ0232TVP02.

**Table D - Comparison of Permit No. 232CP01 Revision 1 Conditions to Operating Permit No. AQ0232TVP02 Conditions<sup>3</sup>**

Permit No. 232CP01 Revision 1 Condition No.	Description of Requirement	Permit No. AQ0232TVP02 Condition No.	How Condition was Revised
1	Emission Unit Inventory	Section 2	Replacement of EU ID 10 in 2006
2	Stack Changes	None	One time requirement completed in 2005
3	SO <sub>2</sub> Ambient Air Quality Protection	9	No Changes
4	Engine NO <sub>x</sub> Limits	10	No Changes
5	Fish Oil as Fuel	12	No Changes
6	Used Oil	13	No Changes

<sup>3</sup> This table does not include all standard and general conditions.

## STATEMENT OF BASIS FOR THE PERMIT CONDITIONS

The State and federal regulations for each condition are cited in Operating Permit No. AQ0232TVP02.

### Conditions 1 - 4, Visible Emissions Standard and MR&R

**Applicability:** This regulation applies to operation of all fuel-burning equipment in Alaska. EU IDs 1 - 6 and 8 - 11 are fuel-burning equipment.

**Factual Basis:** Condition 1 requires the Permittee to comply with the federal and the State visible emission standards applicable to fuel-burning equipment. The Permittee shall not cause or allow the equipment to violate these standards.

MR&R requirements are listed in conditions 2 through 4 of the permit.

These conditions have been adopted into regulation as standard conditions. One of these conditions has been modified in this permit. For liquid fuels (Standard Condition IX), the department removed an error that inadvertently specified three sets of 18 minute observations when conducting annual observations. The department also added a provision that clarifies the option to continue an established monitoring frequency for renewal permits. The department plans to incorporate these changes into the standard condition in the future.

The Permittee must establish by actual visual observations, which can be supplemented by other means, such as a defined Stationary Source Operation and Maintenance Program that the stationary source is in continuous compliance with the State's emission standards for visible emissions and particulate matter.

These conditions detail a stepwise process for monitoring compliance with the State's visible emissions and particulate matter standards for liquid fired emission units. Equipment types covered by these conditions are internal combustion engines, turbines, heaters, boilers, and flares. Initial monitoring frequency schedules are established along with subsequent reductions or increases in frequency depending on the results of the self-monitoring program.

Reasonable action thresholds are established in these conditions that require the Permittee to progressively address potential visible emission problems from emission units either through maintenance programs and/or more rigorous tests that will quantify whether a specific emission standard has been exceeded.

#### **Liquid Fired:**

**Monitoring** - The visible emissions may be observed by either Method 9 or the Smoke/No Smoke plans as detailed in condition 2.1. Corrective actions such as maintenance procedures and either more frequent or less frequent testing may be required depending on the results of the observations.

**Recordkeeping** - The Permittee is required to record the results of all visible emission observations and record any actions taken to reduce visible emissions.

**Reporting** - The Permittee is required to report: 1) emissions in excess of the federal and the State visible emissions standard and 2) deviations from permit conditions. The Permittee is

required to include copies of the results of all visible emission observations with the stationary source operating report.

**Insignificant Emission Units:**

For EU IDs 8 - 11, no monitoring is required because these units have actual emissions less than the thresholds of condition 5.2. They are treated the same as insignificant emission units as specified in 18 AAC 50.326(e) and no monitoring is required in accordance with department Policy and Procedure No. AWQ 04.02.103, Topic # 3, dated October 8, 2004. The Permittee must annually certify compliance under condition 51 with the opacity standard.

**Conditions 5 - 7, Particulate Matter (PM) Standard**

**Applicability:** The PM standard applies to operation of all fuel burning equipment in Alaska. EU IDs 1 - 6 and 8 - 11 are fuel-burning equipment. The Alaska State Implementation Plan (SIP) standard for PM applies to all fuel-burning equipment because it is contained in the federally approved SIP dated October 1983.

**Factual Basis:** Condition 5 requires the Permittee to comply with the State PM (also called grain loading) standard applicable to fuel-burning equipment. The Permittee shall not cause or allow fuel-burning equipment to violate this standard.

MR&R requirements are listed in conditions 6 and 7 of the permit.

The Permittee must establish by actual visual observations, which can be supplemented by other means, such as a defined Stationary Source Operation and Maintenance Program that the stationary source is in continuous compliance with the State's emission standards for particulate matter.

These conditions detail a stepwise process for monitoring compliance with the State's particulate matter standards for liquid fired emission units. Equipment types covered by these conditions are internal combustion engines, turbines, heaters, and boilers. Initial monitoring frequency schedules are established along with subsequent reductions or increases in frequency depending on the results of the self-monitoring program.

**Liquid Fired:**

Monitoring - The Permittee is required to conduct PM source testing if threshold values for opacity are exceeded.

Recordkeeping - The Permittee is required to record the results of PM source tests.

Reporting - The Permittee is required to report: 1) incidents when emissions in excess of the opacity threshold values have been observed, 2) and results of PM source tests. The Permittee is required to include copies of the results of all visible emission observations with the stationary source operating report.

**Insignificant Emission Units:**

For EU IDs 8 - 11, no monitoring is required because these units have actual emissions less than the thresholds of condition 5.2. These emission units are treated the same as insignificant emission units as specified in 18 AAC 50.326(e) and no monitoring is required

in accordance with department Policy and Procedure No. AWQ 04.02.103, Topic # 3, dated October 8, 2004. The Permittee must annually certify compliance under condition 51 with the particulate matter standard.

### **Condition 8, Sulfur Compound Emissions**

**Applicability:** The sulfur emission standard applies to operation of all fuel-burning equipment in the State of Alaska. EU IDs 1 - 6 and 8 - 11 are fuel-burning equipment. The SIP standard for SO<sub>2</sub> applies because it is contained in the federally approved SIP dated October 1983.

**Factual Basis:** The condition requires the Permittee to comply with the sulfur compound emission standard applicable to fuel-burning equipment. The Permittee may not cause or allow the affected equipment to violate this standard.

SO<sub>2</sub> comes from the sulfur in the liquid, hydrocarbon fuel (e.g. diesel or No. 2 fuel oil). Fuel containing no more than 0.75 percent sulfur by weight will always comply with the emission standard. Fuel sulfur testing will verify compliance.

Recordkeeping - Since the ambient air quality limit of 0.29 percent sulfur by weight in condition 9 is more restrictive than this sulfur compound emission standard, then monitoring and recording in accordance with condition 9 will ensure compliance with this condition.

Reporting - The Permittee is required to report as an excess emission whenever the fuel burned causes sulfur compound emissions to exceed the standards in this condition.

### **Conditions 9 -13, Construction Permit Requirements**

**Applicability:** These conditions are stationary source-specific requirements that were carried forward from previous construction permit(s) for compliance with the attainment or maintenance of ambient air quality standards or maximum allowable ambient concentrations, as well as PSD avoidance.

**Factual Basis:** Condition 9 incorporates SO<sub>2</sub> ambient air quality protection provisions developed in Construction Permit No. 232CP01. The limit of 0.29 percent sulfur content by weight is intended to protect ambient air quality standards and increments. The permit incorporates associated monitoring, recordkeeping, and reporting requirements.

Condition 10 incorporates NO<sub>x</sub> limits for engines, EU IDs 1 - 6, as developed in Construction Permit No. 232CP01. The limit of 226.8 tons per 12-consecutive month period is intended to protect ambient air quality standards and increments and to avoid PSD classification. The permit incorporates associated monitoring, recordkeeping, and reporting requirements.

Condition 11 is a fuel limit for the boilers, EU IDs 8 - 11, as developed in Title V Operating Permit No. 232TVP01. The limit of 764,900 gallons per 12-consecutive month period was established in the original Title V permit to avoid PSD classification by keeping the potential NO<sub>x</sub> emissions below 250 tons per year. The Permittee requested the fuel limit in their operating permit application as allowed in regulation at that time, 18 AAC 50.335(g). The requirement was included in the permit under the authority in regulation at that time, 18 AAC 50.350(e)(3). This limit also protects ambient air quality standards and increments as it was considered in the modeling and analysis for Construction Permit No. 232CP01. This is an

operational limitation that is carried forward under the authority in 40 C.F.R. 71.6(a)(1) as it assures compliance with applicable requirements.

Conditions 12 and 13 incorporate restrictions for the use of fish oil and used oil as developed in Construction Permit No. 232CP01. The permit also incorporates associated monitoring, recordkeeping, and reporting requirements.

#### **Conditions 14 - 17, Insignificant Emission Units**

**Applicability:** These general emission standards apply to all industrial processes fuel-burning equipment, and incinerators regardless of size.

**Factual Basis:** The conditions re-iterate the general standards and require compliance for insignificant emission units. The Permittee may not cause or allow their equipment to violate these standards. Insignificant units are not listed in the permit unless specific monitoring, recordkeeping and reporting are necessary to ensure compliance.

Condition 14.1 requires certification that the emission units did not exceed State emission standards during the previous year and did not emit any prohibited air pollution. For EU IDs 8 - 11, as long as they do not exceed the thresholds in conditions 1.3 and 5.2, they are considered insignificant units and no visible emission and particulate matter monitoring is required in accordance with department Policy and Procedure No. AWQ 04.02.103, Topic # 3, dated October 8, 2004.

State air quality regulations adopted effective May 3, 2002 allow for an average 6-minute opacity observation. The existing regulation, limiting opacity to no more than 20 percent for more than 3 minutes in any one hour, is included because EPA Region 10 has not formally approved the changed opacity regulation as part of Alaska's SIP.

#### **Conditions 18, Chemical Accident Prevention Provisions**

**Applicability:** Applies because the Permittee has more than a threshold quantity of a regulated substance in a process, as determined by 40 C.F.R. 68.115.

**Factual Basis:** The Permittee utilizes greater than 10,000 pounds of anhydrous ammonia as a refrigerant.

#### **Conditions 19 - 21, Standard Terms and Conditions**

**Applicability:** Applies because these are standard conditions to be included in all permits.

**Factual Basis:** These are standard conditions required under 18 AAC 5.0345(a) and (e)-(g) for all operating permits.

#### **Condition 22, Administration Fees**

**Applicability:** This condition requires the Permittee, owner, or operator to pay administration fees as set out in regulation. Paying administration fees is required as part of obtaining and holding a permit with the department or as a fee for a department action.

**Factual Basis:** The owner or operator of a stationary source who is required to apply for a permit under AS 46.14.130 shall pay to the department all assessed permit administration

fees. The regulations in 18 AAC 50.400-405 specify the amount, payment period, and the frequency of fees applicable to a permit action.

### **Conditions 23 - 24, Emission Fees**

**Applicability:** The regulations require all permits to include due dates for the payment of fees and any method the Permittee may use to re-compute assessable emissions.

**Factual Basis:** These standard conditions require the Permittee to pay fees in accordance with the department's billing regulations. The billing regulations set the due dates for payment of fees based on the billing date.

The default assessable emissions are emissions of each air pollutant authorized by the permit (AS 46.14.250(h)(1)(A)). Air pollutant means any regulated air pollutant and any hazardous air pollutant. Therefore, assessable emissions under AS 46.14.250(h)(1)(A) means the **potential** to emit (PTE) of any air pollutant identified in the permit, including those not specifically limited by the permit. For example, hydrogen chloride (HCl) emissions from an incinerator are assessable emissions because they are a hazardous air pollutant, even if there is currently no emission limit on HCl for that class of incinerator.

The conditions also describe how the Permittee may calculate **actual** annual assessable emissions based on previous actual annual emissions. According to AS 46.14.250(h)(1)(B), assessable emissions are based on each air pollutant. Therefore, fees based on actual emissions must also be paid on any pollutant emitted whether or not the permit contains any limitation of that pollutant.

This standard condition specifies that, unless otherwise approved by the department, calculations of assessable emissions based on actual emissions use the most recent previous calendar year's emissions. Since each current year's assessable emissions are based on the previous year, the department will not give refunds or make additional billings at the end of the current year if the estimated emissions and current year actual emissions do not match. The Permittee will normally pay for actual emissions - just with a one-year time lag.

Projected actual emissions may differ from the previous year's actual emissions if there is a change at the stationary source, such as changes in equipment or an emission rate from existing equipment.

If the Permittee does not choose to annually calculate assessable emissions, emissions fees will be based on the PTE.

The PTE set forth in the condition is based on liquid fuel with a sulfur content of 0.29 percent by weight. If the actual sulfur content of the fuel is greater than these assumptions, the assessable emissions calculations provided by the Permittee should reflect the actual sulfur content. The change in these values may result in SO<sub>2</sub> emissions that could trigger PSD or other permitting requirements.

### **Condition 25, Good Air Pollution Control Practice**

**Applicability:** Applies to all emission units, **except** insignificant emission units (EU IDs 8 - 11).

**Factual Basis:** The condition requires the Permittee to comply with good air pollution control practices for all emission units (except insignificant emission units).

Maintaining and operating equipment in good working order is fundamental to preventing unnecessary or excess emissions. Standard conditions for monitoring compliance with emission standards are based on the assumption that good maintenance is performed. Without appropriate maintenance, equipment can deteriorate more quickly than with appropriate maintenance. If appropriate maintenance is not applied to the equipment, the department may have to apply more frequent periodic monitoring requirements (unless the monitoring is already continuous) to ensure that the monitoring results are representative of actual emissions.

The Permittee is required to keep maintenance records to show that proper maintenance procedures were followed, and to make the records available to the department. The department may use these records as a trigger for requesting source testing if the records show that maintenance has been deferred.

#### **Condition 26, Dilution**

**Applicability:** This State regulation applies to the Permittee because the Permittee is subject to emission standards in 18 AAC 50.

**Factual Basis:** The condition prohibits the Permittee from diluting emissions as a means of compliance with any standard in 18 AAC 50.

#### **Condition 27, Reasonable Precautions to Prevent Fugitive Dust**

**Applicability:** Bulk material handling requirements apply to the Permittee because the Permittee will engage in bulk material handling, transporting, or storing; or will engage in industrial activity at the facility.

**Factual Basis:** The underlying regulation, 18 AAC 50.045(d), requires the Permittee to take reasonable action to prevent particulate matter (PM) from being emitted into the ambient air.

#### **Condition 28, Stack Injection**

**Applicability:** Stack injection requirements apply to the stationary source because the stationary source contains a stack or emission unit constructed or modified after November 1, 1982.

**Factual Basis:** The condition prohibits the Permittee from releasing materials other than process emissions, products of combustion, or materials introduced to control pollutant emissions from a stack (i.e. disposing of material by injecting it into a stack). No specific monitoring for this condition is practical. Compliance is ensured by inspections, because the emission unit or stack would need to be modified to accommodate stack injection.

#### **Condition 29, Air Pollution Prohibited**

**Applicability:** Air Pollution Prohibited requirements apply to the stationary source because the stationary source will have emissions.

**Factual Basis:** The condition prohibits the Permittee from causing any emission which is injurious to human health or welfare, animal or plant life, or property, or which would unreasonably interfere with the enjoyment of life or property. While the other permit conditions and emissions limitations should ensure compliance with this condition, unforeseen emission impacts can cause violations of this standard. These violations would go undetected except for complaints from affected persons. Therefore, to monitor compliance, the Permittee must monitor and respond to complaints.

The Permittee is required to report any complaints and injurious emissions. The Permittee must keep records of the date, time, and nature of all complaints received and a summary of the investigation and corrective actions undertaken for these complaints and to submit copies of these records upon request of the department.

The department will determine whether the necessary actions were taken. No corrective actions are necessary if the complaint is frivolous or if there is not a violation of 18 AAC 50.110, however this condition is intended to prevent the Permittee from prejudging that complaints are invalid.

### **Condition 30, Technology-Based Emission Standard**

**Applicability:** Technology Based Emission Standard requirements apply to the stationary source because the stationary source contains equipment subject to a technology-based emission standard, such as BACT, MACT, LAER, NSPS or other “technologically feasible” determinations.

**Factual Basis:** The Permittee is required to take reasonable steps to minimize emissions if certain activity causes an exceedance of any technology-based emission standard in this permit. The conditions of this permit list applicable technology-based emission standards and require excess emission reporting for each standard in accordance with condition 49. Excess emission reporting under condition 49 requires information on the steps taken to minimize emissions. Monitoring of compliance for this condition consists of the report required under condition 49.

### **Condition 31, Asbestos NESHAP**

**Applicability:** The asbestos demolition and renovation requirements apply if the Permittee engages in asbestos demolition or renovation.

**Factual Basis:** The condition requires the Permittee to comply with asbestos demolition or renovation requirements in 40 C.F.R. 61, Subpart M. Because these regulations include adequate monitoring and reporting requirements and because the Permittee is not currently engaged in such activity, simply citing the regulatory requirements is sufficient to ensure compliance with these federal regulations.

### **Condition 32, Refrigerant Recycling and Disposal**

**Applicability:** Applies if the Permittee engages in the recycling or disposal of certain refrigerants.

**Factual Basis:** The condition requires the Permittee to comply with the standards for recycling and emission reduction of refrigerants set forth in 40 C.F.R. 82, Subpart F that will apply if the Permittee uses certain refrigerants. Because these regulations include adequate

monitoring and reporting requirements and because the Permittee is not currently engaged in such activity, simply citing the regulatory requirements is sufficient to ensure compliance with this federal regulation.

### **Conditions 33 - 34, Halon Prohibitions**

**Applicability:** These prohibitions apply to all facilities that use halon for fire extinguishing and explosion inertion. The Trident Sand Point Seafood Processing Facility uses halon and is therefore subject to the federal regulations contained in 40 C.F.R. 82.

**Factual Basis:** These conditions incorporate applicable 40 C.F.R. 82 requirements. The Permittee may not cause or allow violations of these prohibitions.

### **Condition 35, Open Burning**

**Applicability:** The open burning State regulation in 18 AAC 50.065 applies to the Permittee if the Permittee conducts open burning at the stationary source.

**Factual Basis:** The condition requires the Permittee to comply with the regulatory requirements when conducting open burning at the stationary source.

No specific monitoring is required for this condition. Condition 35.1f requires the Permittee to keep "sufficient records" to demonstrate compliance with the standards for conducting open burning, but does not specify what these records should contain.

More extensive monitoring and recordkeeping is not warranted because the Permittee does not conduct open burning as a routine part of their business. Also, most of the requirements are prohibitions, which are not easily monitored. Additional monitoring is achieved through condition 29, which requires a record of complaints.

### **Condition 36, Requested Source Tests**

**Applicability:** Applies because this is a standard condition to be included in all permits.

**Factual Basis:** The Permittee is required to conduct source tests as requested by the department. Monitoring consists of conducting the requested source test.

### **Conditions 37 - 39, Operating Conditions, Reference Test Methods, Excess Air Requirements**

**Applicability:** Applies because the Permittee is required to conduct source tests by this permit.

**Factual Basis:** The Permittee is required to conduct source tests as set out in conditions 37 through 39. These conditions supplement the specific monitoring requirements stated elsewhere in this permit. Compliance monitoring with conditions 37 through 39 consists of the test reports required by condition 44.

### **Condition 40, Test Exemption**

**Applicability:** Applies when the emission unit exhaust is observed for visible emissions.

**Factual Basis:** As provided in 18 AAC 50.345(a), 5/03/02, the requirements for test plans, notifications and reports do not apply to visible emissions observations by smoke readers, except in connection with required particulate matter testing.

### **Conditions 41 - 44, Test Deadline Extension, Test Plans, Notifications and Reports**

**Applicability:** Applies because the Permittee is required to conduct source tests by this permit.

**Factual Basis:** Standard conditions 18 AAC 50.345(l) - (o) are incorporated through these conditions. These standard conditions supplement specific monitoring requirements stated elsewhere in this permit. The source test itself monitors compliance with this condition.

### **Condition 45, Recordkeeping Requirements**

**Applicability:** Applies because the Permittee is required by the permit to keep records.

**Factual Basis:** The condition restates the regulatory requirements for recordkeeping, and supplements the recordkeeping defined for specific conditions in the permit. The records being kept provide evidence of compliance with this requirement.

### **Condition 46, Certification**

**Applicability:** This is a standard condition to be included in all permits. Applies because every permit requires the Permittee to submit reports.

**Factual Basis:** This condition requires the Permittee to certify all reports submitted to the department. To ease the certification burden on the Permittee, the condition allows the excess emission reports to be **certified** with the stationary source report, even though it must still be **submitted** more frequently than the stationary source operating report. This condition supplements the reporting requirements of this permit.

### **Condition 47, Submittals**

**Applicability:** Applies because the Permittee is required to send reports to the department.

**Factual Basis:** This condition requires the Permittee to send submittals to the address specified in this condition. Receipt of the submittal at the correct department office is sufficient monitoring for this condition. This condition supplements the reporting requirements of this permit.

### **Condition 48, Information Requests**

**Applicability:** Applies to all Permittees and incorporates a standard condition.

**Factual Basis:** This condition incorporates a standard condition in regulation, which requires the Permittee to submit information requested by the department. Monitoring consists of receipt of the requested information.

### **Condition 49, Excess Emission and Permit Deviation Reports**

**Applicability:** Applies when the emissions or operations deviate from the requirements of the permit.

**Factual Basis:** This condition satisfies two State regulations related to excess emissions - the technology-based emission standard regulation and the excess emission regulation. Although there are some differences between the regulations, the condition satisfies the requirements of each regulation.

In accordance with 40 C.F.R. 71.6(a)(3)(iii)(C), a deviation is not always a violation. For a situation lasting more than 24 hours, which constitutes a deviation, each 24-hour period is considered a separate deviation. "Deviation" as defined in 40 C.F.R. 71 means both "excess emission" and "permit deviation" as used in this permit, which includes:

1. a situation where emissions exceed an emission limitation or standard;
2. a situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met;
3. a situation in which observations or data collected demonstrate non-compliance with an emission limitation or standard or any work practice or operating condition required by the permit (including indicators of compliance revealed through parameter monitoring);
4. a situation in which any testing, monitoring, recordkeeping or reporting required by this permit is not performed or not performed as required;
5. a situation in which an exceedance or an excursion, as defined in 40 C.F.R. Part 64, occurs; and,
6. failure to comply with a permit term that requires submittal of a report.

In accordance with 18 AAC 50.990(34) "excess emissions" means emissions of an air pollutant in excess of any applicable emission standard or limitation which is item 1 of the above definitions from 40 C.F.R. 71. These definitions shall be considered in determining an "excess emissions" or "permit deviation" when reporting an occurrence using the ADEC notification form.

The reports themselves and the other monitoring records required under this permit provide monitoring of whether the Permittee has complied with the condition.

#### *Section 12, Notification Form*

The department modified the notification form, deviating from standard permit condition IV, to more adequately meet the requirements of Chapter 50, Air Quality Control. The modification consisted of correcting typos and moving failure to monitor/report and recordkeeping to the permit deviations, Section 2.

### **Condition 50, Operating Reports**

**Applicability:** Applies to all permits.

**Factual Basis:** The condition restates the requirements for reports listed in regulation. The condition supplements the specific reporting requirements elsewhere in the permit. The reports themselves provide monitoring for compliance with this condition.

A modification of the Standard Permit Condition VII was added to provide clarification of transition periods between an expiring permit and a renewal permit to ensure that the Permittee reports against the permit terms and conditions of the permit that was in effect during those partial date periods of the transition. No format is specified: the Permittee may provide one report accounting for each permit term or condition and the effective permit at that time, or may chose to provide two reports – one accounting for reporting elements of

permit terms and conditions from the end date of the previous operating report until the date of expiration of the old permit, and a second operating report accounting for reporting elements of terms and conditions in effect from the effective date of the renewal permit until the end of the reporting period.

This condition was further modified to allow the Permittee to submit one of the required two copies of the report electronically in lieu of paper. This change more adequately meets the requirements of 18 AAC 50 and agency needs provided the electronic version is compatible with ADEC software, as the department can more efficiently distribute the electronic copy to staff in other locations.

### **Condition 51, Annual Compliance Certification**

**Applicability:** Applies to all Permittees.

**Factual Basis:** This condition specifies the periodic compliance certification requirements, and specifies a due date for the annual compliance certification. The reports themselves provide monitoring for compliance with this condition.

Condition 51.2 provides clarification of transition periods between an expiring permit and a renewal permit to ensure that the permittee certifies compliance with the permit terms and conditions of the permit that was in effect during those partial date periods involved in the transition. No format is specified: the Permittee may provide one report certifying compliance with each permit term or condition and the effective permit at that time, or may chose to provide two reports – one certifying compliance with permit terms and conditions from January 1 until the date of expiration of the old permit, and a second report certifying compliance with terms and conditions in effect from the effective date of the renewal permit until December 31.

The Permittee is allowed to submit one of the required copies electronically at their discretion. This change more adequately meets the requirements of 18 AAC 50 and agency needs, as the department can more efficiently distribute the electronic copy to staff in other locations.

### **Condition 52, NSPS and NESHAP Reports**

**Applicability:** Applies to emission units subject to NSPS or NESHAP federal regulations.

**Factual Basis:** The source contains emission units such as boilers and reciprocating engines that could become subject to standards during the life of this permit. The condition supplements the specific reporting requirements in 40 C.F.R. 60, 40 C.F.R. 61, and 40 C.F.R. 63. The reports themselves provide monitoring for compliance with this condition.

### **Conditions 53 - 55, Permit Changes and Revisions Requirements**

**Applicability:** Applies because these are standard conditions to be included in all operating permits.

**Factual Basis:** These are conditions required in 40 C.F.R. 71.6 for all operating permits to allow changes within a permitted stationary source without requiring a permit revision.

The Permittee did not request trading of emission increases and decreases as described in 71.6(a)(13)(iii).

### **Condition 56, Permit Renewal**

**Applicability:** Applies if the Permittee intends to renew the permit.

**Factual Basis:** In accordance with AS 46.14.230(a), this operating permit is issued for a fixed term of five years after the date of issuance, unless a shorter term is requested by the permit applicant. The Permittee is required to submit an application for permit renewal by the specific dates applicable to the Trident Sand Point Seafood Processing Facility as listed in this condition. As stated in 40 C.F.R. 71.5(a)(1)(iii), submission for a permit renewal application is considered timely if it is submitted at least six months but no more than eighteen months prior to expiration of the operating permit. According to 71.5(a)(2), a complete renewal application is one that provides all information required pursuant to 40 C.F.R. 71.5(c) and must remit payment of fees owed under the fee schedule established pursuant to 18 AAC 50.400. 40 C.F.R. 71.7(b) states that if a source submits a timely and complete application for permit issuance (including renewal) the source's failure to have a permit is not a violation until the permitting authority takes final action on the permit application. Therefore, for as long as an application has been submitted within the timeframe allowed under 40 C.F.R. 71.5(a)(1)(iii), and is complete before the expiration date of the existing permit, then the expiration of the existing permit is extended and the Permittee has the right to operate under that permit until the effective date of the new permit. However, this protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to submit by the deadline specified in writing by the department any additional information needed to process the application. Monitoring, recordkeeping, and reporting for this condition consists of the application submittal.

### **Conditions 59 - 64, General Compliance Requirements and Schedule**

**Applicability:** Applies because these are standard conditions to be included in all permits.

**Factual Basis:** These are standard conditions for compliance required for all operating permits.

### **Conditions 65 - 66, Permit Shield**

**Applicability** Applies because the Permittee has requested a shield for the applicable requirements listed under this condition.

**Factual Basis:** Table B of Operating Permit No. AQ0232TVP02 shows the permit shields that the department granted to the Permittee.

**DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**AIR QUALITY OPERATING PERMIT**

**RESPONSE TO COMMENTS**

**Owner Name: Trident Seafoods Corporation**  
**Public Comment Closing Date: May 16, 2007**  
**Source Name: Sand Point Seafood Processing Facility**

**Permit No. AQ0232TVP02**

The public comment period for the Trident Seafoods Corporation, Sand Point Seafood Processing Facility operating permit closed on May 16, 2007. Comments were received from Trident Seafoods Corporation and appear exactly as submitted. This paper provides ADEC's responses to the comments.

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### 1. General Permit Comment

**From Trident Seafoods Corporation:** Please replace the abbreviation for nitrogen oxides from “NO<sub>x</sub>” to “NO<sub>x</sub>” throughout the permit.

*Response from ADEC: ADEC has made the requested changes.*

---

### 2. General Permit Comment

**From Trident Seafoods Corporation:** To conform with ADEC’s current terminology, please replace the term “source” with the term “unit” or “emission unit” throughout the permit where appropriate.

*Response from ADEC: ADEC has made the requested changes.*

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### 3. General Permit Comment

**From Trident Seafoods Corporation:** For consistency with the terminology of the vast majority of the permit and Statement of Basis, please capitalize the term “Permittee” and use lower case for “department” and “tpy.” In addition, replace the term “record keeping” with the compound term “recordkeeping.”

*Response from ADEC: ADEC has made the requested changes.*

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### 4. General Permit Comment

**From Trident Seafoods Corporation:** Note other typographic and grammatical changes in the redline/strikeout version of the draft permit.

*Response from ADEC: ADEC has made the requested changes.*

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### 5. Permit, Page 4, Section 1

**From Trident Seafoods Corporation:** Please replace all references to “Mr. Earl Hubbard” with “Mr. Earl R. Hubbard.” In addition, please change the “Stationary Source and Building Contact” to Mr. Allan Starnes.

*Response from ADEC: ADEC has made the requested changes.*

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### 6. Permit, Table A, page 5

**From Trident Seafoods Corporation:** Due to irreparable equipment failure, Trident replaced Emission Unit 10, 20.6-MMBtu/hr Johnston boiler (Serial No. 4665), with a 20.9-MMBtu/hr Cleaver Brooks boiler (Serial No. L54314) at the Trident Sand Point facility. In a Letter No. 174-115 dated March 27, 2006, Trident notified ADEC of the like-in-kind replacement of the

original Johnston boiler with the Cleaver Brooks boiler. Nameplate information for the Cleaver Brooks boiler was also provided in that letter.

Trident submitted an application to renew Title V Permit No. AQ0232TVP01, Revision 2, to ADEC on June 22, 2005. Since the notification of the like-in-kind replacement of the Johnson boiler with the Cleaver Brooks boiler was submitted on March 27, 2006, the renewal application did not reflect this information regarding the Cleaver Brooks boiler. Therefore, please update the information for Emission Unit 10 in Table A of the permit, as follows:

I.D.	Emission Unit Name	Emission Unit Description	Rating	Install Date
10	Oil-fired Boiler	Cleaver Brooks Steam Boiler, Serial #L54314	20.9 MMBtu/hr	2006

**Response from ADEC:** ADEC understands that EU ID 10 was replaced as identified in Trident's letter to the department, dated March 27, 2006. ADEC does not believe the replacement triggered any additional applicable requirements or permitting, and is including the updated emission unit information in the permit renewal. The change did not affect emissions, actual or potential, as the same fuel limit and AP 42 emission factor still apply.

The replacement unit could have triggered NSPS Subpart Dc as it is a small industrial steam generating unit between 10 and 100 MMBtu/hr. An affected facility is one "for which construction, modification, or reconstruction was commenced after June 9, 1989". The replacement unit is a steam generating unit manufactured in 1972. Since the package was supplied as a complete steam generating unit as defined in 40 C.F.R. 60.41c, the original manufacture date can be considered the date that construction commenced. It is not an affected facility since construction commenced prior to the applicability date, the unit is not believed to have been reconstructed as described in 40 C.F.R. 60.15, and the unit is not believed to have been modified as described in 40 C.F.R. 60.14.

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### 7. Permit, Condition 1.2

**From Trident Seafoods Corporation:** Please insert a comma after the word "record."

**Response from ADEC:** ADEC has made the requested change.

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### 8. Permit, Condition 1.3

**From Trident Seafoods Corporation:** After "2 tpy" add the word "each for" to indicate that this quantity refers to each of these three air pollutants rather than the total of all three air pollutants.

**Response from ADEC:** ADEC has made the requested change.

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## 9. Permit, Condition 2

**From Trident Seafoods Corporation:** Condition 2 of the draft permit pertains to the visible emission monitoring of the exhaust from EU IDs 1 through 6. As provided in the redline-strikeout version of the Trident Sand Point Permit No. AQ0232TVP01, Revision 2, that accompanied the Title V permit renewal application, please modify Condition 2 of the draft permit as follows:

### Original Condition 2

The Permittee shall observe the exhaust of EU IDs 1 – 6 for visible emissions using either the Method 9 Plan under condition 2.1 or the Smoke/No-Smoke Plan under condition 2.2.

### Modified Condition 2

The Permittee shall observe the exhaust of EU IDs 1 – 6 (and EU IDs 8 – 11, if they are no longer considered insignificant as set out by condition 1.3) for visible emissions using either the Method 9 Plan under condition 2.1 or the Smoke/No-Smoke Plan under condition 2.2.

Trident also requests that Condition 2 be revised to indicate that the Permittee may continue visible emissions monitoring according to the prevailing schedule established at the time the renewed permit is issued. Therefore, append Condition 2 with the following:

The Permittee may continue visible emissions monitoring according to the prevailing schedule established at the time this renewed permit is issued.

*Response from ADEC: ADEC has made the first requested change to condition 2. ADEC has added a provision that clarifies the option to continue an established visible emission monitoring frequency for renewal permits to condition 2.1 rather than condition 2, in addition to updating the Statement of Basis.*

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## 10. Permit, Condition 2.1a

**From Trident Seafoods Corporation:** Condition 2.1a should also be revised to indicate that the Permittee may continue visible emissions monitoring according to the prevailing schedule established at the time the renewed permit is issued. Therefore, Trident requests that Condition 2.1a be revised as follows:

2.1a First Method 9 Observation. Observe exhaust for 18 minutes within 14 calendar days after changing from the Smoke/No-Smoke Plan of condition 2.2.

*Response from ADEC: Because of the change in condition 2.1 as indicated in Response to Comment 9, this condition no longer needs to be revised.*

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### 11. Permit, Condition 4.2b

**From Trident Seafoods Corporation:** Reporting within 3 days is an unreasonably short timeframe. Please change the reporting schedule to within “30” days.

*Response from ADEC:* ADEC denies the request to revise the standard condition. 18 AAC 50.346 states that the department will use the standard conditions unless emission unit-specific or stationary source-specific conditions more adequately meet the requirements. ADEC identified nothing unique in the emission units or the stationary source relevant to this reporting requirement. The condition requirement will continue to require reporting of missed visible emissions monitoring within 3 days.

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### 12. Permit, Condition 5.1

**From Trident Seafoods Corporation:** Insert a comma after the word “record.”

*Response from ADEC:* ADEC has made the requested change.

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### 13. Permit, Condition 5.2

**From Trident Seafoods Corporation:** After “2 tpy” add the word “each for” to indicate that this quantity refers to each of these three air pollutants rather than the total of all three air pollutants.

*Response from ADEC:* ADEC has made the requested change.

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### 14. Permit, Footnote 4, page 16

**From Trident Seafoods Corporation:** Change the term N<sub>0</sub>x” to “NO<sub>x</sub>.”

*Response from ADEC:* ADEC has made the requested change.

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### 15. Permit, Condition 13

**From Trident Seafoods Corporation:** Condition 13 of the draft permit pertains to the burning of used oil at the Sand Point facility. Condition 13.1 allows the Permittee to burn used oil in Emission Unit IDs 8 through 11, provided that the Permittee blends the used oil at a ratio of one part of used oil to at least six parts of virgin fuel. As indicated in the Title V permit renewal application, please insert a footnote indicating that the term “virgin fuel oil” refers to diesel fuel oil or fish oil.

*Response from ADEC:* ADEC has made the requested change.

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### 16. Permit, Condition 18

**From Trident Seafoods Corporation:** The “Chemical Accident Prevention Provisions” of Condition 18 are federal requirements and, as such, do not require reporting to state agencies. In addition, the Risk Management Plan is submitted to EPA electronically. Moreover, such provisions are not included in other Title V permits issued by ADEC to Alaska permittees, particularly those who are Trident’s direct competitors and are subject to 40 C.F.R. Part 68. Therefore, Trident is requesting that Condition 18 be deleted from the permit.

*Response from ADEC:* The department agrees to remove sub-condition 18.1 for reporting because it exceeded those elements of 40 C.F.R. 68.215 (a) – permit content. The Chemical Accident Prevention Provisions will be incorporated into all applicable operating permits henceforth.

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### 17. Permit, Condition 23

**From Trident Seafoods Corporation:** For consistency with the rest of the permit, replace the term “tons per year” with the abbreviation “tpy” that is defined in the List of Abbreviations on page 3 of the permit.

*Response from ADEC:* ADEC has made the requested change.

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### 18. Permit, Condition 30

**From Trident Seafoods Corporation:** There is no “Technology-Based Emission Standard” applicable to the Trident Sand Point Seafood Processing Facility. Therefore, Trident requests that Condition 30 be deleted from the permit. Consequently, footnote 8 on page 23 is no longer relevant and should also be deleted.

*Response from ADEC:* ADEC denies the request to delete this condition. The Refrigerant Recycling and Disposal condition is a technology-based emission standard applicable to this stationary source.

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### 19. Permit, Condition 34

**From Trident Seafoods Corporation:** The organization of Condition 34 is disorganized. The subheadings and lists do not flow properly and are mislabeled (see comments in the redline/strikeout version of the draft permit.). Trident requests that this condition be reorganized and reformatted.

*Response from ADEC:* ADEC corrected the organization of this template such that it is consistent with 40 C.F.R. 82.270.

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### 20. Permit, Condition 52

**From Trident Seafoods Corporation:** There is no NSPS applicable to the Trident Sand Point Seafood Processing Facility. Therefore, Trident requests that Condition 52 (and 52.1) be revised as follows: **NESHAP Reports.** The Permittee shall:

52.1 attach to the facility operating report required by condition 50, copies of any NESHAPs reports submitted to the U.S. Environmental Protection Agency (EPA) Region 10; and

*Response from ADEC: ADEC denies the request to change this condition. Emission units at the source could trigger NSPS notification and reporting requirements during the life of the permit.*

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**21. Permit, Condition 55.3**

**From Trident Seafoods Corporation:** According to 40 C.F.R. 71.6(a)(13)(iii)(B), the permit shield described in 40 C.F.R. 71.6(f) does extend to “Operational Flexibility” of the emissions cap discussed in 40 C.F.R. 71.6(a)(13)(iii). Therefore, Trident requests that Condition 55.3 be modified as follows to accommodate this provision:

55.3 With the exception of the emissions cap described in 40 C.F.R. 71.6(a)(13)(iii), the permit shield described in 40 C.F.R. 71.6(f) shall not apply to any change made pursuant to condition 55.

*Response from ADEC: While it is true that a permit shield can apply to changes made under operational flexibility as described in 40 C.F.R. 71.6(a)(13)(iii), it is only applicable if a permit applicant has requested terms and conditions allowing for the trading of emissions increases and decreases. Since Trident has not asked for such flexibility, this exception does not apply. Therefore, ADEC denies the request to revise this condition.*

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**22. Permit, Table B, page 41**

**From Trident Seafoods Corporation:** NSPS Subpart Dc does not apply to any of Trident’s boilers or the dryer. Therefore, Table B should indicate that Subpart Dc is not applicable to EU IDs 8 – 11. Accordingly, Trident requests that the following row be added to Table B:

**Table B - Permit Shields Granted**

EU ID	Non-Applicable Requirements	Reason for Non-Applicability
8-11	40 C.F.R. 60 Subpart Dc for Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	EU ID 8 does not meet the definition of “steam generating unit.” EU IDs 9 and 10 were constructed before June 9, 1989 and were not modified or reconstructed since being constructed (EU IDs 9 and 10 were constructed in 1975 and 1972, respectively). EU ID 11 has a maximum design heat input capacity of less than 10 MMBtu/hr.

*Response from ADEC: ADEC has made the requested changes.*

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**23. General Statement of Basis Comment**

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**From Trident Seafoods Corporation:** The Statement of Basis needs to be revised to reflect the changes made as a result of Trident's comments on the draft Title V permit contained herein.

*Response from ADEC: ADEC has made the requested changes.*

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#### 24. General Statement of Basis Comment

**From Trident Seafoods Corporation:** For consistency with the rest of the permit and Statement of Basis, replace the term "sulfur dioxide" with the abbreviation "SO<sub>2</sub>" that is defined in the List of Abbreviations on page 3 of the permit.

*Response from ADEC: ADEC has made the requested changes.*

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#### 25. General Statement of Basis Comment

**From Trident Seafoods Corporation:** Please replace the abbreviation for nitrogen oxides from "NO<sub>x</sub>" to "NO<sub>x</sub>" throughout the permit.

*Response from ADEC: ADEC has made the requested changes.*

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#### 26. General Statement of Basis Comment

**From Trident Seafoods Corporation:** To conform with ADEC's current terminology, please replace the term "source" with the term "unit" or "emission unit" throughout the permit where appropriate.

*Response from ADEC: ADEC has made the requested changes.*

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#### 27. General Statement of Basis Comment

**From Trident Seafoods Corporation:** For consistency with the terminology of the vast majority of the permit and Statement of Basis, please capitalize the term "Permittee" and use lower case for "department" and "tpy." In addition, replace the term "record keeping" with the compound term "recordkeeping."

*Response from ADEC: ADEC has made the requested changes.*

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#### 28. General Statement of Basis Comment

**From Trident Seafoods Corporation:** Note other typographic and grammatical changes in the redline/strikeout version of the draft Statement of Basis.

*Response from ADEC: ADEC has made the requested changes.*

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#### 29. Statement of Basis, Page 2

**From Trident Seafoods Corporation:** The seawater scrubber is not an emissions unit at Trident Sand Point with specific monitoring, recordkeeping, and reporting requirements; therefore, Trident requests that reference to it be deleted from the Statement of Basis.

*Response from ADEC: ADEC has made the requested change.*

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### 30. Statement of Basis, Page 4

**From Trident Seafoods Corporation:** In reference to Trident's original Title V permit application, the Statement of Basis states "The application was never determined to be complete." Is this, in fact, a true statement or was the application deemed complete by default [as required by AS 46.14.160(b) within 60 days after receipt of the application if ADEC does not notify the applicant]? If the latter is true, Trident requests that the Statement of Basis be revised accordingly.

*Response from ADEC: ADEC has made the requested change.*

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### 31. Statement of Basis, Table D, Page 5

**From Trident Seafoods Corporation:** In Table D, the row describing changes to the emissions unit inventory should indicate the like-kind replacement of Unit 10 in the column labeled "How Condition was Revised" by stating "like-kind replacement of EU ID 10 in 2006."

*Response from ADEC: ADEC has revised the table to indicate a replacement of EU ID 10, in addition to adding the particulars to the permit section of the Statement of Basis.*

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### 32. Statement of Basis, Page 9

**From Trident Seafoods Corporation:** Trident requests that the paragraph labeled "Condition 18, Chemical Accident Prevention" be deleted from the Statement of Basis. As mentioned previously, Condition 18 describes federal requirements for Chemical Accident Prevention that do not require reporting to state agencies. In addition, the Risk Management Plan is submitted to EPA electronically. Moreover, such provisions are not included in other Title V permits issued by ADEC to Alaska permittees, particularly those who are Trident's direct competitors and are subject to 40 C.F.R. Part 68.

*Response from ADEC: ADEC denied this request as indicated in Response to Comment No. 16.*

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### 33. Statement of Basis, Page 12

**From Trident Seafoods Corporation:** Trident requests that the paragraph labeled "Condition 30, Technology-Based Emission Standard" be deleted from the Statement of Basis. As mentioned previously, there is no "Technology-Based Emission Standard" applicable to the Trident Sand Point Seafood Processing Facility.

*Response from ADEC: ADEC denied this request as indicated in Response to Comment No. 18.*

### **34. Statement of Basis, Page 15**

**From Trident Seafoods Corporation:** Trident requests that the paragraph labeled “Condition 52, NSPS and NESHAP Reports” be re-labeled as follows since, as mentioned previously, there is no NSPS applicable to the Trident Sand Point Seafood Processing Facility:

#### **Condition 52, NESHAP Reports**

**Applicability:** Applies to emission units subject to NESHAP federal regulations.

**Factual Basis:** The condition supplements the specific reporting requirements in 40 C.F.R. 61 and 40 C.F.R. 63. The reports themselves provide monitoring for compliance with this condition.

*Response from ADEC: ADEC denied this request as indicated in Response to Comment No. 20. The department added clarifying language to the statement of basis to clarify that reporting requirements could be applicable during the life of the permit*

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